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Tennessee Collection

Cottle, Swaney & Cooke.



ACTS

OF THE

STATE OF TENNESSEE,

*Feb. 1890*

PASSED AT THE SECOND SESSION OF THE

*March 1890*

FORTY-SIXTH GENERAL ASSEMBLY.

1890.

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# GOVERNOR'S PROCLAMATION.

STATE OF TENNESSEE,  
EXECUTIVE DEPARTMENT, }  
NASHVILLE, TENN., Feb. 11, 1890.

*To the Members of the General Assembly of the State of Tennessee :*

Whereas, various matters of public interest requiring immediate legislation are apparent, creating extraordinary occasion for the assembling of the Legislature of the State :

Now, therefore, I, Robt. L. Taylor, Governor of the State of Tennessee, by virtue of the power vested in me by Section 9 of Article III. of the Constitution of the State, do by this proclamation convene the General Assembly of Tennessee in extraordinary session in the Capitol at Nashville, on Monday, the 24th day of February, 1890, at the hour of 12 o'clock, noon, for the purpose of considering and legislating upon the following matters, to-wit:

1. Amending, extending and simplifying the various laws governing and relating to elections.

2. Amending the assessment laws so as to provide that all taxation shall be equal and alike upon all persons and interests.

3. To amend the law so as to provide that acknowledgment of charters of incorporation may be made before Notaries Public and to afford relief in cases where such acknowledgement has already been made.

4. To amend the assessment laws so as to enable municipal corporations more efficient and effectual means to collect the property tax due them.

5. To regulate by law the tare on cotton.

6. To extend the corporate limits of Nashville.

7. To afford relief and provide for the holding of the Chancery Courts in the Fifth Chancery Division.

8. To provide relief for the East Tennessee, Virginia & Georgia Railroad in the matter of taxation upon sleeping cars between Chattanooga and Knoxville.

9. To enable the cities or counties to establish and maintain reformatory and industrial institutions for boys and girls.

10. To enable the town of Greeneville to issue bonds for educational purposes.

11. To consider and amend Chapter 19, Acts of 1867-8, relating to the incorporation of Morristown.

12. To protect the fish in Reelfoot lake.

13. To make further provision for the appropriation for sustaining the National Guards, State of Tennessee.

14. To enable the town of Johnson City to issue bonds for schools and street improvements.

15. To amend the school laws so as to provide for the adoption of a history of Tennessee to be taught in the public schools.

16. To enable the corporation of Bristol to vote money or bonds in aid of railroads or public improvements.

17. To provide for the incorporation of Lookout mountain.

18. To enable the incorporation of Trenton to issue bonds to erect water-works.

19. Such legislation as may be necessary and proper in regard to street improvements in the city of Chattanooga and the charter and government of said city and its administration and issuance of bonds, etc., by said city.

20. To regulate by law the importation of dressed beef.

21. To provide for the needs of taxing districts of the second class, in the matter of taxation for the purpose of supplying water to such taxing districts for fire and domestic purposes.

22. To enable the city of Knoxville to extend its corporate limits.

23. To enable the city of Jackson to issue bonds for the purpose of adjusting the debts and obligations of the city.

24. To enable the county of Tipton to issue bonds to build a court house.

25. To amend the criminal laws so as more effectually to protect timber.

26. To change the line between Grainger and Union counties.

27. To enable existing corporations to subscribe for the stock of other corporations.

28. To dissolve the county of James and restore its territory to the original counties.

*In testimony whereof*, I have set my hand and caused the [SEAL.] Great Seal of the State to be affixed, at the Capitol in Nashville, Feb. 11, 1890.

ROBT. L. TAYLOR,  
Governor.

By the Governor:  
C. A. MILLER,  
Secretary of State.



## GOVERNOR'S MESSAGE.

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STATE OF TENNESSEE,  
EXECUTIVE DEPARTMENT, }  
NASHVILLE, TENN., Feb. 24, 1890.

*Gentlemen of the Senate and House of Representatives :*

Yielding to manifest necessity and the voice of a large number of your leading people, I have called you together to consider weighty matters affecting the interests of the people of Tennessee, and demanding immediate remedy, all embodied in a proclamation calling you in extra session hereto appended, and it now becomes my duty to lay before you in more elaborate detail the facts and to suggest such legislation as I have been taught by observation and study is needed. The only hesitation I have had in calling you together grew out of my unwillingness to tax the people with the expense of having an extra session unless it could be clearly demonstrated that the advantages sought would more than counter-balance the expenditure, and unless it clearly appeared that these matters could not be relegated to the next regular session of the Legislature without great damage. The short time in which you must dispose of these matters admonishes you to deal first with the weightier questions.

A perfect system of equal taxation is a question which has never been solved. Human wisdom has been able only to approximate it, and when it becomes apparent that our scheme of assessments has glaring inequalities it becomes your duty under the Constitution to cure them as far as possible. The law should be so constructed as to compel every interest in the State to bear its proportionate share of the burdens of taxation.

It is claimed that under the present law certain interests are subjected to double taxation. This, if true, is manifestly unjust. If any class of property is inadequately taxed its taxable valuation

should be increased. Double ad valorem taxation is not only intolerable but it is unconstitutional. This subject is purposely opened in its widest scope so that you may remedy any deformity in the laws, but the main purpose is to have you consider the so-called double tax feature of it, if such feature exists. It frequently appears that certain species of property are doubly taxed when, in fact, it is not true. Property may be justly taxed ad valorem and there may be a privilege predicated upon this property from which extraordinary profits are made and the State may with propriety and fairness exact a tax for such extraordinary privilege. It may require a nice discrimination sometimes to determine whether certain property falls within this meaning, and doubtless out of this has arisen many of the complaints of hardship under the operation of the present law. It is of prime importance that the law should be definite in its terms so that it may be easily understood and construed, and as nearly equally applied as possible, because there are many material interests affected by it. The specific point of complaint is this, that corporations are taxed upon the plant itself and upon the stock predicated upon it. It is for you to determine whether or not this is double taxation, and, if so, to give the relief asked by the corporations. In my opinion, gentlemen, there is no adequate remedy short of a complete revolution of our system of assessment so that all property may be taxed one time at its actual value. By this means all property is taxed exactly alike, and when it is done the rate can be reduced proportionately. It is my opinion, further, that high valuation of property and a low rate of taxation not only solves this vexing question, but it would be of immeasurable value to the State in showing to the world the immensity of our material wealth and how little we burden it with taxes.

Rivaling in importance the question of taxation is that of the election laws. I delayed calling your honorable bodies together in the hope that by some means they might be construed by the Supreme Court. Discussion and experiment have revealed some grave inconsistencies and deformities in the various new laws relating to elections that call imperatively for remedy. There can be no doubt that under the Dortch law a fairer and more intelligent expression of public opinion is obtainable, but it is not a full expression. A fair election is the great desideratum, and to secure this your energies and wisdom should be addressed. The Dortch law is in some respects held to be unconstitutional, and that it prescribes an educational test. Whether or not in fact it is unconstitutional for that reason could only be determined by the courts, and, whether so or not, the limitation is decried by many of our fellow citizens whose opinions are entitled to great consideration. The system of elections that we are now considering is a new experiment in this country, and since they were passed at your regular

session they have been subjected to the scrutiny of thoughtful men all over the land, and have had the light of the wisdom of some of the most eminent minds of the nation thrown upon them, and the fact has been revealed that they are not entirely adequate to the purposes sought. That they lie along the right road to fair elections is universally conceded, and when their defects are healed and they are brought into harmonious action, in my opinion they will be as nearly perfect as they can now be made.

Again, the Lea law and the Dorset law conflict in this, that each demands the surrender at the ballot-box of the voter's registration certificate. If he surrenders it at one box, how can he vote at the other? It appears to be clear, gentlemen, that these laws need careful overhauling and adjustment. In my opinion registration should be general and all the laws of equal application everywhere. It should be provided in the Lea law that the voter's registration certificate be stamped instead of being taken up at the ballot box when the vote is cast for national officers, so that he may use it at the other box and there surrender it. I will not undertake to point out all the amendments needed, but will leave the whole question for your consideration and determination.

The next question to which your consideration is invited is how best to care for the wayward children of our State. It is a question that appeals with unutterable tenderness to the conscience, magnanimity and wisdom of the Legislature. It not only involves the well-being of society and the commonwealth, but helpless children lift their hands pitifully to you for protection. I am possessed of an ineradicable conviction that it is a crime within itself to place a child in the penitentiary, and yet our courts are often forced to do it. All that I have been able to do thus far is to pardon them as fast as they send them. There is local effort being made to meet this humane requirement in some places, and wherever your honorable bodies can further this purpose I am sure it will be done without urging. There is a crying demand for the State to do something in this behalf. No child should be stigmatized with a penitentiary sentence. The further you go, gentlemen, in consummating this beneficent purpose, the better you have served your people and your country.

A recent decision of our Supreme Court declaring the invalidity of charters acknowledged before Notaries Public threatens to result in serious damage and loss to many of our citizens unless your honorable bodies can afford relief. It is made the more difficult and damaging because of the fact that rights have accrued under contracts made by these illegally organized corporations, and these cannot be invalidated nor disturbed by retroactive legislation. In view of the fact that the loose wording of the statutes misled citizens when there was manifestly no intention to do wrong,

it is incumbent upon the Legislature to repair the damage as far as may be possible. A statute legalizing such acknowledgments now will doubtless in many cases restore the corporations to their original contemplated status. I trust an adequate remedy may be found, which I am persuaded you will readily make effective.

I desire to call your earnest attention to the National Guard, and its need of a more liberal appropriation to sustain it. We have now organized some sixty companies, partially equipped by appropriations of the National Government. In response to my request, Lieut. Robert W. Dowdy, of the Seventeenth Infantry, was detailed for duty in this State, and he is now engaged in assisting the Adjutant General in perfecting a more perfect organization of the Guard. This cannot be done without more adequate means. I need not remind you, gentlemen, of the importance of maintaining the military spirit of our people. Tennessee is justly proud of the fame of her sons, who have won immortal glory on many a bloody field, and of the distinction she herself bears of being called the "Volunteer State." The system inaugurated all over the Union supplies the need of a regular army; indeed, it is itself a regular army ready for action in a day, and at a less expense to the people than any system ever devised in any nation. Our Adjutant General's office has never been properly sustained by the State. I recommend that you give the military a hearing and grant them such aid as in your judgment will place this department in better condition to effect its work.

I desire to call the attention of your honorable bodies to the necessity of some action with reference to the holding of the Chancery Courts in the various counties composing the Fifth Chancery Division. During almost the entire period of both my terms as Governor of the State the Hon. Chancellor of that division has been an invalid and totally incapacitated to preside at his courts. I have time and again appointed special Chancellors, but circumstances, difficulties and complications have arisen in connection with this matter which make it necessary in my judgment for your action. The Chancellor cannot hold his courts and has not certified his disability at all times when it was necessary. I recommend that your honorable bodies make such provision as in your judgment seems best. I have exhausted my power, appointing special Chancellors without pay. This Division demands relief.

Yielding to the request of many citizens interested in cotton planting, I have embodied in the proclamation calling your honorable bodies in extra session a paragraph inviting you to consider the advisability of regulating by law the tare on cotton, or rather to make it a matter to be agreed upon and adjusted by the buyer and producer. Its merits both pro and con will be ably presented before your committees.

It is represented that there is a systematic wholesale destruction of fish in Reelfoot Lake by persons from other States who take them in large quantities for trade. Some restriction should be placed upon this practice to the end that this famous fishing resort may be preserved for the benefit of our own people and others who seek recreation and pleasure rather than profit.

In order to make good and loyal citizens of the State of the children who will in time assume its management they should from the beginning be taught its history and traditions. The State having assumed in large measure the care of the schools may with much propriety require that her children be taught to revere her past and have some knowledge of her resources and institutions. A learned and honorable son of Tennessee has with much labor and perspicacity prepared a concise school history which has withstood the test of much criticism. It may not be as perfectly adapted to the purpose as some would have it, but until a better one can be had it should be introduced into the schools and made a part of the curriculum, and I recommend that such be done.

The law-making power has been vainly besought in the past to provide protection for timber by making its unauthorized taking and destruction a criminal offense. Why should the taking of another's timber be held to be only trespass when the taking of his horse is a felony? I am persuaded that many persons have been deterred from investing money in our lands because of the insecurity of property in timber and the immunity vouchsafed depredators by the absence of a penal statute. The time has come also when we must look more attentively to the preservation of our timber and restrain wanton waste.

There are several subjects of less urgency embraced in the call which might possibly have abided the regular biennial session without serious detriment, but which, nevertheless, are of pressing importance. Our great State is now in process of phenomenal growth and development, and many of our towns and cities call upon the legislative power to aid them in various ways in promoting their interests. Their requests should be heartily granted. Other interests also ask needed legislative aid to carry out their designs. The spirit of progress is thoroughly aroused in Tennessee, and it needs no urging to persuade your wise and loyal bodies to come with alacrity to the aid of enterprise and thrift. It is peculiarly gratifying to be able to state that all these benefits may be bestowed without appropriations of money. They ask no charities. They stand upon solid ground and in lusty strength, asking only to be permitted by law to carry out projects designed for the benefit of the people and the glory and increased prosperity of a State which is rapidly advancing to the forefront of the wealthiest and busiest in the catalogue of commonwealths.

It may not be inappropriate to state with reference to all the subjects introduced for your consideration and action that it was my intention to place them before you in all their scope, either for amendment, amplification, modification or total repeal, as in your wisdom you may determine.

Believing that the honorable members, each and collectively, are fully imbued with loyal purpose to make the work of this extraordinary session a monument to their energy and wisdom and replete with benefits to the people of the State, invoking the blessing of Divine Providence that your good work may be consummated in harmony, I pledge the executive co-operation in rendering effective the laws which may be enacted.

ROBT. L. TAYLOR.

# PUBLIC ACTS

OF THE

General Assembly of the State of Tennessee,

PASSED AT THE SECOND SESSION OF THE

FORTY-SIXTH GENERAL ASSEMBLY.

*Which was Begun and Held at Nashville on the Fourth Monday in February,  
in the Year of our Lord One Thousand Eight  
Hundred and Ninety.*

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## CHAPTER 1.

AN ACT to amend the charter of the city of Chattanooga, and all Acts amendatory thereto, so as to enable it to issue bonds for public improvements on streets and sewers, and providing for a Board of Public Works, to take charge of all streets, alleys, sewers, etc., in said city, and superintend and direct the expenditure of the proceeds of said bonds and all other money raised by the Board of Mayor and Aldermen of said city from all other sources for street and sewer purposes; and to, in all things, take charge of, control and direct all forces or individuals placed on street or sewer work by conviction and judgment of any court or otherwise, and defining the duties of the Board of Mayor and Aldermen, Mayor, City Treasurer and City Attorney in reference to said Board of Public Works, and deposit and safe keeping of the funds derived from said bonds; and providing for employment of City Engineer, assistants, etc., and defining duties and providing for a special election as to the issuance of said bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the charter of the city of Chattanooga be, and the same is hereby amended as fol-*

Authorized to  
issue \$500,000  
street and sewer  
bonds.

lows: The Mayor and Aldermen of the city of Chattanooga are hereby authorized and empowered to issue city bonds of said city to an amount not exceeding five hundred thousand (\$500,000) dollars in addition to the bonds heretofore issued by said city, or heretofore authorized to be issued for the purpose of building and constructing streets and sewers in said city, and the proceeds arising from the sale of said bonds shall be applied to said purposes and no other.

Denomina-  
tions.

SEC. 2. *Be it further enacted*, That said bonds shall be in the denomination of one hundred dollars, or multiples thereof, no single bond to be in amount in excess of one thousand dollars. They shall run for thirty years from the date of their issuance, bear interest at the rate of five per cent. per annum, payable semi-annually, have coupons attached for their semi annual interest, be payable in the city of New York, and shall, in no case, be sold for less than their face value.

Rate of inter-  
est, and when  
payable.

Tax and sink-  
ing fund.

SEC. 3. *Be it further enacted*, That said Board of Mayor and Aldermen shall annually levy a tax and provide for the payment of the semi-annual interest, and create a sinking fund for the payment of said bonds at maturity, and said fund shall, in no case, be used for any other purpose.

No payments  
in bonds.

SEC. 4. *Be it further enacted*, That no work done or contracted to be done under the provisions of this Act shall be paid for in said bonds, but all such work shall be paid for out of the proceeds arising from the sale thereof.

Board of Pub-  
lic Works to  
expend pro-  
ceeds.

SEC. 5. *Be it further enacted*, That the proceeds of said bonds shall be expended by and under the direction and supervision of a Board of Public Works, to be appointed for said city, which shall be created as hereinafter provided, with the rights, powers and duties in this Act declared.

Board of Pub-  
lic Works: how  
appointed, sal-  
aries and term  
of office.

SEC. 6. *Be it further enacted*, That said Board of Public Works shall consist of three members, who shall be appointed by the Governor of the State, not more than two of whom shall be members of the same political party, and whose term of office shall be for three years, provided that of the first board appointed one shall be appointed for one year, one for two years, and one for three years, and annually thereafter there shall be one member appointed for the three years. Before entering upon the duties of said office they shall each give bond in the sum of \$10,000, with two or more securities, good and solvent, to the full amount of the penalty of the

Bond.



bond, to be approved by the Mayor of said city, payable to the Mayor and Aldermen of said city, and conditioned to faithfully perform their duties according to law, and especially in accordance with the provisions of this Act.

SEC. 7. *Be it further enacted*, That said board shall Chairman. organize by electing one of its members chairman, to serve for the period of twelve months, whose duty it shall be to give his entire time and services to the business of the board. Said chairman shall receive for his Salaries. services as compensation the sum of \$2,500 per year, and the other members of the board \$500 each per year. The chairman shall preside at all meetings of the board, and in all things faithfully carry out its orders. Said board shall also elect a *pro tem.* chairman, who shall pre- Pro tem. chair-  
man. side at all meetings in the absence of the chairman, and shall, during any absence or inability of the chairman to serve, discharge all the duties incumbent on the chairman, devoting his entire time and services thereto, under the provisions of this Act; and, for the time so serving, he shall receive compensation at the rate of \$2,500 in- Compensation. stead of \$500 per year, but all amounts received by him under this provision shall be deducted from the salary of the chairman, reducing his salary to the same extent. The election of chairman and chairman *pro tem.* shall be held annually.

SEC. 8. *Be it further enacted*, That said Board of Pub- Powers of the  
Board of Pub-  
lic Works. lic Works shall have full control of the expenditure of the funds arising from the proceeds of the sale of the bonds herein provided for, and shall also have full control, authority and power over all streets, alleys, sidewalks and sewers, and the building, altering, repairing, cleaning and improving the same, including the power (as now possessed and exercised by the Board of Mayor and Aldermen, and to its exclusion), to fix and change the grades of all streets, alleys, sidewalks and sewers; to determine their width, size, location and grade, and to order and enforce by law the grading, laying down, repairing and cleaning of sidewalks by the owners of abutting property, and to procure for the benefit of said city by condemnation in the name of the Mayor and Aldermen, as now provided by law for such condemnation proceedings by purchase or otherwise, as now provided by law, any and all necessary property for widening or extending streets, and for enlarging and extending sewers, when necessary to do so, provided that in enforcing the grading, building, repairing or cleaning of sidewalks,

and before having the same done at the expense of the property owner of abutting property, said board shall, by order, which shall be recorded in a book of records, kept for that purpose in their office, direct the work to be done, and give the property owner at least thirty days' notice from the entry of said order, before said board shall have the said work done, provided that in case of vacant property or absent and non-resident owners, notice posted on the abutting property shall be sufficient. Said board shall also have the absolute control of the expenditure of all moneys and funds arising from taxation or any other source, for street and sewer purposes; and they shall also have full control and management over all gangs, forces or individuals condemned to or in any way placed on street or sewer work by conviction and judgment of any court or order or judgment of any other lawful authority, and over all scavenger and street cleaning forces.

To keep records.

To control expenditure of all funds and convict and other forces.

To employ city engineer and other necessary force.

SEC. 9. *Be it further enacted*, That the city engineer, all necessary assistants, clerks and employes of same, and all other employes or guards necessary for carrying out the orders and work of said board under the provisions of this Act shall be employed by said Board of Public Works, to the exclusion of the Board of Mayor and Aldermen, and the said Board of Public Works shall fix their salaries, and at all times have full power and authority to discharge any and all of the same, by whatever authority appointed.

Work to be let to lowest bidder.

SEC. 10. *Be it further enacted*, That all work done under the order of said Board out of the proceeds of said bonds, also all work done with funds received from any other source, when the cost shall exceed one hundred dollars, shall be let to the lowest responsible bidder, the Board of Public Works to be the judge thereof and having the right to reject any and all bids, provided that no member of the Board of Mayor and Aldermen, Board of Public Works, nor any of the officers or employes of either board shall, in any way, be interested, directly, indirectly or remotely, in any contract let or work done under the orders of or under contract of said board, and any violation of this provision shall render any such contract null and void, and no payment shall be made nor recovery had for any work done in violation of this provision; and it is hereby made the duty of said Board of Public Works to see that this provision is strictly carried out; *Provided further*, that in all cases under the provisions of this Act, when work is to

No official or employe to be interested in contract.

be let to the lowest bidder, the same shall be advertised for sealed bids by a plain poster, in the engineer's office, and if the amount to be let exceeds in value five hundred dollars, then in some newspaper published in said city in addition to said poster (and elsewhere should the board deem it to the best interest of the city) for at least ten days and longer, in the discretion of the board, and all bids received shall be opened and read in an open session of the board with a quorum present, at a time fixed in the advertisement; and *provided further*, that the plans and specifications of such work shall be on exhibition in the engineer's office during the entire time of the advertisement.

Work to be advertised.

Bids to be read in open session.

SEC. 11. *Be it further enacted*, That said Board of Public Works shall keep books of record of all their proceedings, and books of accounts of all their expenditures for whatever purpose and on whatever account, and take proper vouchers for all such expenditures, and shall annually make detailed report of expenditures, and the same shall be published.

Records and accounts to be kept, and reports made

SEC. 12. *Be it further enacted*, That it shall be the duty of the Board of Public Works to annually make an itemized estimate of the funds necessary for prosecuting the work under their charge for the next year, and submit the same to the Board of Mayor and Aldermen on or before the first day of December of each year; and said Board of Mayor and Aldermen shall annually, when other taxes are levied, levy a tax for such purposes, and shall not use said taxes so levied for street and sewer purposes when collected for any other purpose, provided that in no case shall the levy or estimate for this purpose exceed six mills on the dollar.

Estimates of expenditure to be made annually.

SEC. 13. *Be it further enacted*, That the proceeds of all bonds issued under this Act, and all funds arising from taxes or other source for street and sewer purposes shall be paid into the city treasury and be at once deposited by the City Treasurer in not less than five solvent banks, in the city of Chattanooga, on a separate account from all other city funds, known and designated as the "street and sewer" fund account, in as near as possible, equal amounts, and to be paid out by him, the City Treasurer (in as near equal amounts as possible, so that the several banks may, at all times, hold the same as near as may be in equal amounts), and said Treasurer is authorized to arrange for interest on monthly balances. Said funds shall be paid out on the warrant of the chairman of said Board of Public Works, approved

Funds to be paid into the treasury and deposited

How paid out.

by at least one of his associates ; *Provided*, that said warrants shall each specifically show on its face for what work or material or other purpose, and on what account issued.

Bonds, how-  
issued and sold

SEC. 14. *Be it further enacted*, That the said Board of Mayor and Aldermen shall have the power to issue and sell said bonds in blocks or as a whole, in their discretion ; *Provided*, that not more than two hundred and fifty thousand dollars of the proceeds of said bonds shall be expended by the said Board of Public Works in any one year ; *Provided further*, that said Board of Public Works shall not contract in advance for the construction of any street or sewer, to be paid for out of the proceeds of said bonds provided for in this Act, in any amount for any year in excess of said \$250,000, and any contract made in violation of this provision shall be utterly void, and no money shall be paid or recoverable by the contractor for such work or on such contract.

Expenditures  
not to exceed  
\$250,000 annu-  
ally.

Sewers to be  
made before  
paving.

SEC. 15. *Be it further enacted*, That said Board of Public Works shall not do any permanent paving on any street where a sewer is required until such sewer has been constructed.

Proceeds of  
bonds of 1889  
to be first ex-  
pended.

SEC. 16. *Be it further enacted*, That no part of the proceeds of the bonds provided for in this Act shall be used by said Board of Public Works in the construction of sewers, or for sewer purposes, until the proceeds of the bonds provided for by an Act of the Legislature of Tennessee, passed January 29, and approved February 2, 1889, have been fully exhausted by said board in conformity to and in accordance with the provisions of said Act.

To organize  
under this Act

SEC. 17. *Be it further enacted*, That the Board of Public Works, provided for in this Act, shall organize and enter upon the discharge of its duties under the provisions of this Act only, and no act, ordinance, or resolution of the Board of Mayor and Aldermen shall be necessary to or have any valid or binding force in relation to the organization, duties or powers of said Board of Public Works.

Moneys on  
hand to be  
transferred to  
street and sewer  
account.

SEC. 18. *Be it further enacted*, That so soon as the Board of Public Works, provided for by this Act, shall have organized as hereinbefore provided, and notified the Mayor of such organization, it shall be the duty of the Mayor and Aldermen of said city, through its Treasurer, to at once transfer to the street and sewer account hereinbefore provided for, all moneys on hand from whatever source, raised for street and sewer purposes, and

as fast as collected deposit on said account all taxes assessed for either of said purposes and not yet paid, and all amounts due or to become due for said purposes from any other source, and hold and pay out the same as hereinbefore provided.

SEC. 19. *Be it further enacted*, That it shall be and is hereby made the duty of the Board of Mayor and Aldermen of said city to provide all proper or necessary offices for said Board of Public Works and those working under it, as other city offices are provided. Offices to be provided.

SEC. 20. *Be it further enacted*, That a majority of said Board of Public Works shall constitute a quorum for the transaction of all business, and its regular meetings shall be on the first and third Tuesdays of each and every month; *Provided*, that special meetings can be called at any time by the chairman or a majority of the board. Quorum and meetings.

SEC. 21. *Be it further enacted*, That the salaries of said Board of Public Works, the City Engineer, assistants, clerks and other employes working under the direction of said board, shall be paid by the City Treasurer out of the street and sewer fund on the warrant of the chairman of the said board approved, etc., as herein provided, for the payment of other claims. Salaries—how paid.

SEC. 22. *Be it further enacted*, That the City Attorney shall be the attorney of the said Board of Public Works, and shall give them all necessary advice and counsel, and shall prosecute all suits necessary to be brought by them in prosecuting the work imposed on them by this Act; and shall also defend all suits brought against them growing out of the discharge of their duties imposed on them by this Act. City Attorney.

SEC. 23. *Be it further enacted*, That under the direction of said Board of Public Works of the street and sewer department, and under the direction of the Board of Mayor and Aldermen in all other departments, the City Engineer, whose appointment is hereinbefore provided for, shall have full and exclusive charge of all the engineering work of all the departments of said city in any way or for any purpose, requiring the service of a civil engineer. City Engineer.

SEC. 24. *Be it further enacted*, That the members of the Board of Public Works herein provided for shall be appointed within fifteen days after the passage of this bill. Appointment of Board.

SEC. 25. *Be it further enacted*, That the sinking fund trustees now provided for by law for the city of Chatta-

**Sinking Funds Trustees.** nooga shall have charge of the sinking fund to be raised for bonds hereby authorized to be issued, and their duties in reference to these bonds and in the management of said sinking fund shall be the same as those prescribed and defined for said trustees passed March 20, 1873, entitled "An Act to provide for the issuance of bonds by cities," except that said trustees shall loan the money at six per cent. interest, and shall not purchase any bonds therewith except the bonds authorized to be issued under this Act; and the said trustees shall give such bonds from time to time as the Board of Mayor and Aldermen shall prescribe.

**Former Act amended.** SEC. 26. *Be it further enacted,* That the charter of the city of Chattanooga, and all Acts amendatory of said charter, and all parts of said Acts, especially such portions of said charter as were enacted December 20, 1839, entitled "An Act to establish the town of Chattanooga, in the county of Hamilton, and to incorporate the inhabitants thereof;" also, an Act passed November 15, 1851, entitled "An Act to incorporate the city of Chattanooga, and for other purposes;" also, an Act passed November 10, 1869, as charter for said city; also, Chapter 143 of the Acts of 1871, entitled "An Act to authorize the Mayor and City Council, or Mayor and Aldermen of any incorporated city or town in the State of Tennessee, having a population of 20,000 and upward, to issue the bonds of said city or town to the amount of \$300,000;" also, Chapter 59 of the Acts of 1873, passed March 20, 1873, entitled "An Act to provide for issuance of bonds by cities;" also, Chapter 10 of the Act of 1887, entitled "An Act to authorize municipal corporations to settle their indebtedness;" also, an Act passed March 20, 1875, entitled "An Act to regulate and organize municipal corporations of certain population, and for the increase and diminution of their powers;" also, Chapter 121 of the Acts of 1877, entitled an Act to amend an Act entitled "An Act to regulate and organize municipal corporations, and for the increase and diminution of their power," passed March 20, 1875, and approved March 23, 1875;" also, Chapter 234 of the Acts of 1883, entitled "An Act to amend the charter of the city of Chattanooga, Tenn., and all Acts amendatory thereof;" also, Chapter 113 of the Acts of 1885, entitled "An Act to amend the charter of the city of Chattanooga, Tenn., and all Acts amendatory thereof;" also, Chapter 123 of the Acts of 1887, entitled "An Act to create a Board of Public Works for the city of Chattanooga, for the pur-

pose of improving the streets and providing necessary sewerage in said city, and to enable said Board of Public Works to carry out the provisions of this Act, to authorize the Mayor and Aldermen to issue \$500,000 in bonds for said purpose, and to provide a sinking fund ;” also, Chapter 200 of the Acts of 1887, entitled an Act to repeal Sections 9 and 10 of Chapter 234 of the Acts of 1883, entitled “An Act to amend the charter of the city of Chattanooga, and all Acts amendatory thereof ;” also, Chapter 27, Acts of 1889, passed January 27, 1889, entitled “An Act to enable cities that had a population between ten and fifteen thousand inhabitants under the Federal census of 1880, to improve their streets and to issue bonds for that purpose ;” also, Chapter 29 of the Acts of 1889, entitled “An Act to amend the charter of the city of Chattanooga, Tenn., and all Acts heretofore passed amendatory thereof, so as to divide the city into eight wards, and to provide for the election of two Aldermen from each ward by the legal voters thereof, and provide for the election of the Mayor by the qualified voters of the city, and provide for the election of a Recorder by the Aldermen, and prescribe the duties of the Mayor and Recorder, and fix their salaries,” shall be and the same are hereby amended so as to conform to the provisions of this Act, and any and all other amendatory Acts inconsistent with the provisions of this Act **Repeal.** are hereby repealed.

SEC. 27. *Be it further enacted*, That any and all suits <sup>Suits, how</sup> necessary to be brought by said Board of Public Works, <sup>brought.</sup> to enforce any and all of its orders, shall be brought by said board in the name of the Mayor and Aldermen.

SEC. 28. *Be it further enacted*, That before the bonds <sup>Election as to</sup> herein provided for shall be issued the Mayor of the <sup>issuance of</sup> City of Chattanooga shall, and it is hereby made his <sup>bonds.</sup> duty, within five days after the passage of this Act, to give notice of for five days, in some newspaper published in the city of Chattanooga, and on the day fixed in the notice cause a special election to be opened and held in all the various wards in the city of Chattanooga, appointing for that purpose all necessary judges, clerks and officers of election, at which election all persons qualified to vote for Mayor and Aldermen of said city may vote. Those desiring to vote favoring the issuance of the bonds mentioned in this Act shall have written or printed on their ballots, “For the issuance of \$500,000 of bonds.” Those opposed to the issuance of said bonds shall have written or printed on their ballots, “Against the issuance

Provisos.

of \$500,000 of bonds." If, at said election a majority of the votes cast in said election shall be in favor of the issuance of said bonds, then said bonds shall be issued as provided for in this Act. If a majority of the votes cast at said election shall be against the issuance of said bonds, then said bonds shall not be issued until the question shall be again submitted to a vote of the qualified voters of the city whenever ordered by the Board of Mayor and Aldermen at any time after the expiration of six months from the date of last election; *Provided*, that nothing contained in this section shall, in any way, invalidate or interfere with the appointment and operation of the Board of Public Works in this Act provided for; *Provided further*, that the provisions of Chapter 188 of the Acts of 1889, entitled "An Act to provide more stringent regulations for securing the purity of elections in this State, and applicable to counties having a population of over 70,000 and cities over 9,000 inhabitants, computed by the census of 1880;" and, also, Chapter 207 of Acts of 1889, entitled "An Act to provide for the registration of voters of such towns and cities and civil districts in the State of Tennessee, having a voting population of 500 votes or more in the presidential election of 1888, or may hereafter have that number in any presidential election," shall not be taken or held to apply to the election to be held under this Act in regard to the issuance of the bonds herein provided for.

SEC. 29. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed February 28, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

BENJ. J. LEA,

*Speaker of the Senate.*

Approved March 5, 1890.

ROBT. L. TAYLOR,

*Governor.*



## CHAPTER 2.

**AN ACT** to amend the charter of the city of Trenton, Tennessee, so as to empower said city to issue bonds in an amount not to exceed twenty-five thousand dollars, and to levy a tax to pay the same, for the purpose of constructing a system of water-works in said city.

**SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the city of Trenton, Tennessee, and Acts amendatory thereof, be and the same are hereby so amended that the Mayor and Aldermen of said city, in their corporate capacities, shall have, and they are hereby vested with full power to issue, under the restrictions hereinafter provided, the interest-bearing bonds of said city, in an amount not to exceed twenty-five thousand dollars, to be issued and used exclusively in the construction of a system of water-works in said city. Power to issue bonds for water works.

**SEC. 2.** *Be it further enacted,* That any and all bonds issued at any time under this Act, shall be of such denominations, bear such rate of interest, not to exceed six per cent. interest per annum, and be due in such time, not to exceed thirty years from date, and be payable at such times and places as the corporate authorities may determine. Said Board shall have the power to call in such bonds and pay them off at any time before maturity they may see proper. Denominations and rate of interest.

**SEC. 3.** *Be it further enacted,* That for the purpose of paying the interest on said bonds, and of creating a sinking fund to liquidate said bonds, the Board of Mayor and Aldermen of said city shall have the power to levy and collect a special tax on property and privileges subject to taxation in said corporation each year, not to exceed twenty-five cents on each one hundred dollars' worth of taxable property in said corporation, and not to exceed one-half of the tax on privileges levied for general corporation purposes. Special tax to pay interest and create a sinking fund.

**SEC. 4.** *Be it further enacted,* That before said Board of Mayor and Aldermen shall issue any of the bonds contemplated in this Act, they shall first order an election to ascertain the will of the people upon the question of the issuance of said bonds and the establishment of said system of water-works, which election may be Election.

ordered by said Board at any time, so that legal notice of the same be given prior to such election. The voters favoring said question shall have written or printed on their tickets, "Water-works," and those opposing same shall have written or printed on their tickets, "No Water-works," and if two-thirds of persons voting at said election are in favor of proposed improvement or water-works, then the said Mayor and Aldermen may issue the bonds accordingly to pay for the same and have the works constructed.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 6, 1890.

ROBT. L. TAYLOR,  
*Governor.*

### CHAPTER 3.

AN ACT to amend the charter of the city of Jackson, Tennessee, so as to empower said city to issue coupon bonds in an amount not to exceed seventy-five thousand dollars, for the purpose of constructing a system of sewerage, to pave or gravel the streets, and to fund its indebtedness.

Power to issue  
bonds for  
sewerage and  
paving pur-  
poses.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the city of Jackson, Tennessee, and Acts amendatory thereof, be and the same are hereby amended so that the Mayor and Aldermen of said city, in their corporate capacity, shall have, and they are hereby vested with full power to issue the interest-bearing coupon bonds of said city, in an amount not to exceed, for all the purposes herein contemplated, the sum of seventy-five thousand dollars, to be issued and used exclusively in the construction of a system of sewerage for said city, to pave or gravel the streets of said city, and fund the present unbonded indebtedness and floating liabilities of said city.

Amounts and  
time.

SEC. 2. *Be it further enacted*, That said Mayor and Aldermen shall have power to issue any of said bonds

for any one or more of said purposes, in such amounts and at such time or times as they shall deem it best.

SEC. 3. *Be it further enacted,* That any and all bonds issued at any time under this Act shall be of such denominations, bear such rate of interest, not to exceed six per cent. interest per annum, and be due in such time, not less than five or more than thirty years from date, and be payable at such times and places as the corporate authorities may determine.

Denominations and rate of interest.

SEC. 4. *Be it further enacted,* That none of the bonds provided for in this Act shall be sold for less than par, and the coupons, when due, shall be receivable for all taxes and dues to the corporation, except the water-works bonds tax, the Tennessee Midland Railway bonds tax, the school tax, or the "sinking fund tax" herein provided for the payment of the bonds contemplated by this Act.

Not to be sold for less than par.

SEC. 5. *Be it further enacted,* That said Mayor and Aldermen shall each year levy a tax, not to exceed fifteen cents on one hundred dollars, upon all the taxable property and privileges of said city, to pay the interest on such bonds as may be issued hereunder, and to provide the necessary sinking fund to pay or redeem said bonds at or before maturity, the "sinking fund" to be used exclusively for the purpose levied.

Tax for interest and sinking fund.

SEC. 6. *Be it further enacted,* That before any of said bonds shall be issued, the said Mayor and Aldermen shall elect a board of three commissioners, to be known as "Sinking Fund Commissioners," who shall hold office for three years and until successors shall have been elected and qualified, and to be so elected that one of said commissioners shall be elected for one year, one for two years, and one for three years, and every year thereafter one shall be elected to serve three years; said commissioners shall, before entering upon the discharge of their duties, take an oath before a qualified officer faithfully to discharge their duties, and shall give bond in such sum and otherwise qualify themselves and receive such compensation as the ordinance of the corporation may prescribe and provide. Said commissioners shall receive from the collector of taxes all the "sinking fund tax," and shall invest the same from time to time in the bonds of the corporation here contemplated, and make settlement of their accounts in such manner and with such person as the corporation may by ordinance direct; *Provided, however,* that whenever such bonds of the city are purchased or invested in by the

Sinking fund Commissioners.

Terms of office.

Oath and bond

To invest sinking fund.

commissioners, they shall cancel the same in the presence of the Board of Mayor and Aldermen in such manner as may be determined by ordinance.

Repeal of conflicting Acts.

SEC. 7. *Be it further enacted*, That all Acts and parts of Acts in conflict with this Act be and the same are hereby repealed.

SEC. 8. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 6, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 4.

AN ACT to define the occupation of ticket speculator, declare the same a privilege, fix a privilege tax thereon, and prescribe the penalty for violating the same.

Ticket speculator—whois.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That any person other than a regularly authorized employe or agent of any theatre or opera house, amusement hall, circus, park or garden, who shall offer for sale any ticket or certificate of admission to any theatre, opera house, amusement hall, circus, park or garden, for the sake of a profit, is hereby declared to be a ticket speculator.

Privilege.

SEC. 2. *Be it further enacted*, That the occupation of ticket speculator is hereby declared to be a privilege.

Tax.

SEC. 3. *Be it further enacted*, That every ticket speculator shall pay an annual privilege tax of five hundred dollars (\$500) at the same time and in the same manner as other privilege taxes are paid.

Penalty.

SEC. 4. *Be it further enacted*, That any and all parties violating any of the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof

shall be fined not less than fifty dollars nor more than five hundred dollars for each offense.

SEC. 5. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and are hereby repealed.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 4, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

BENJ. J. LEA,

*Speaker of the Senate.*

Approved March 7, 1890.

ROBT. L. TAYLOR,

*Governor.*

## CHAPTER 5.

AN ACT to repeal an Act passed by the General Assembly of the State of Tennessee, March 21, 1883, entitled "An Act to change the county line between the counties of Grainger and Union," and to change the county line between the counties of Grainger and Union.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act of the General Assembly of the State of Tennessee, passed March 21, 1883, and approved March 27, 1883, changing the line between the counties of Grainger and Union be, and the same is hereby repealed, except that the farm of V. W. Capps, which is now in Union county, shall remain in said county. Repeal of former Acts.

SEC. 2. *Be it further enacted*, That the line between said counties of Union and Grainger be and remain in all things as it was before the said Act of 1883 was passed. Line to be as before Act of 1883.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.  
Passed March 6, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

C. R. BERRY,  
*Speaker pro tem. of the Senate.*

Approved March 8, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 6.

AN ACT to enable the town of Johnson City to borrow money and issue interest-bearing bonds for the same, for the purpose of erecting suitable buildings for public or city schools in the town of Johnson City, Tenn.

Authority to issue \$25,000 of bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Mayor and Aldermen of the town of Johnson City, Tenn., be and they are hereby authorized and empowered in their corporate capacity to issue interest-bearing bonds of said town, signed by the Mayor and countersigned by the Recorder of said town to an amount not exceeding twenty-five thousand dollars, the proceeds of which shall be used exclusively in the purchase of sufficient material and the construction of suitable buildings in the limits of said town of Johnson City, to be used exclusively for city school purposes in said town of Johnson City, in such way and manner as the Mayor and Aldermen of said town of Johnson City may by ordinance prescribe, not in violation of the laws of Tennessee; *Provided*, that said bonds shall not be issued until an election is held in said town to determine whether the legal voters of said town favor the issuance of said bonds.

Election.

Election—how and when held.

SEC. 2. *Be it further enacted*, That the Mayor and Aldermen of said town shall, by ordinance, appoint some suitable time at which to hold said election, and shall appoint some suitable person to open and hold said election under such regulations and restrictions as the said Mayor and Aldermen may, by ordinance, establish.

SEC. 3. *Be it further enacted*, That all persons living within the limits of said town who are legal voters according to the laws of Tennessee, and who have been living within the limits of the corporation of Johnson City for thirty days preceding the election, and being bona fide citizens of said town, and persons owning real estate within the limits of said town of Johnson City, Tenn., who do not reside within the same, be entitled to vote at said election. Who may vote.

SEC. 4. *Be it further enacted*, That in no case shall any such bonds nor other evidence of debt be issued by the Mayor and Aldermen of said town of Johnson City until authorized by a three-fourths vote of the qualified voters voting of such city or town, expressed by an election to be held for that purpose. Bonds not to be issued until authorized.

SEC. 5. *Be it further enacted*, That the bonds herein provided for may be executed in denominations of one hundred dollars to one thousand dollars, at the discretion of said Mayor and Aldermen, and shall mature at such times from five to thirty years, as may be fixed by ordinance, and shall bear interest at such rate as said Mayor and Aldermen may adopt; *Provided*, it shall not exceed six per cent. per annum, and said bonds to be issued with coupons attached. Denominations, maturity and interest.

SEC. 6. *Be it further enacted*, That the said Mayor and Aldermen shall, by ordinance, provide for the assessment, levy and collection of such taxes as may be necessary to pay off said bonds so issued and the interest accruing thereon, and may provide a sinking fund for that purpose. Taxes to be levied to pay bonds and interest.

SEC. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.  
Passed March 4, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LÉA,  
*Speaker of the Senate.*

Approved March 7, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 7.

AN ACT to authorize the municipal corporation of the town of Greeneville, in the county of Greene, to issue interest-bearing negotiable bonds in any amount not to exceed fifteen thousand dollars (\$15,000), for the purpose of purchasing realty, erecting or repairing and furnishing public school buildings in said town, and to levy and collect taxes for the payment of said bonds.

Authority to  
issue 30-year  
bonds for  
\$15,000 for  
school pur-  
poses.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Board of Mayor and Aldermen of the corporation of the town of Greeneville, in Greene county, be and they are hereby authorized and empowered to issue negotiable interest-bearing coupon bonds, payable on or before thirty years from date of issuance, in any amount not to exceed fifteen thousand dollars, interest payable semi-annually at six per cent., and in such denominations as may be deemed best and proper; said bonds to be signed by the Mayor and Recorder of said town, and shall not be sold at less than the face thereof, for the purpose of purchasing real estate for the use of public schools, and erecting, repairing and furnishing thereon public school buildings for the use and benefit of the scholastic population of said town.

Special tax to  
pay bonds  
and interest  
to be levied.

SEC. 2. *Be it further enacted*, That the Board of Mayor and Aldermen of said corporation be and they are hereby authorized and empowered to levy annually, after the issuance of said bonds and while the same or any portion thereof are outstanding, a special tax on all the taxable property and a special privilege or license tax on all taxable privileges under the laws of the State within said town, but in neither case to exceed the tax levied on said property and privileges by the State, for the purpose of paying the interest on said bonds as it becomes due, and to provide a sinking fund to pay the principal at maturity; *Provided*, that before any bonds shall be issued under the provisions of this Act, the same shall be submitted to a vote of the qualified voters of said municipality, and if ratified or voted for by three-fourths of those voting at such election, then the Board of Mayor and Aldermen shall provide by ordinance for the issuance of said bonds, and the Sheriff of said county, or any Justice of the Peace living in said town, shall open and hold said election by giving ten

Proposition to  
be submitted  
to voters.



days' notice, and the question submitted shall be, "For the Bonds," and "Against the Bonds," and the returns of said election shall be filed in the office of the County Court Clerk of said county.

SEC. 3. *Be it further enacted*, That if such proposition shall be rejected at any time at an election for the purpose hereinbefore mentioned, after six months shall have elapsed, twenty or more freeholders of said town applying therefor, the Sheriff of the county or any Justice of the Peace living in said town shall open and hold another election after giving ten days' notice, in the same manner as provided for in the first instance. Subsequent elections.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 4, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

C. R. BERRY,  
*Speaker pro tem. of the Senate.*

Approved March 8, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 8.

AN ACT to amend Section 4 of Chapter 212, of the Acts of 1889, entitled "An Act to enable the town of Bristol to issue bonds for the purpose of improving its streets and sidewalks."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 4 of Chapter 212 of the Acts of 1889, approved the fourth day of April, 1889, be and the same is hereby so amended as to read as follows: That if the number of votes cast at said election in favor of the issuance of said bonds be equal to three-fourths of all votes cast at said election, then the said bonds may be issued. Amendment—  
three-fourths  
of votes cast.

SEC. 2. *Be it further enacted*, That the portion of Section 4 of said Act that requires the number of votes cast in favor of the issuance of said improvement bonds, shall be equal to three-fourths of all the votes cast at Repeal.

the preceding election of Mayor and Aldermen of said town be and the same is hereby repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.  
Passed March 5, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

C. R. BERRY,  
*Speaker pro tem. of the Senate.*

Approved March 8, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 9.

AN ACT to enable the town of Johnson City to borrow money and to issue interest-bearing bonds for the purpose of improving its streets and sidewalks, and to enable said town to submit a proposition to a vote of the people of said town for said purpose.

Authority to  
issue \$50,000  
for paving  
purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Mayor and Aldermen of the town of Johnson City, Washington county, Tenn., be, and they are hereby authorized and empowered in their corporate capacity to issue interest-bearing bonds of said town, signed by the Mayor and countersigned by the Recorder of said town to an amount not exceeding fifty thousand dollars, the proceeds of which shall be used exclusively in the improvement of the streets and sidewalks of said town as the said Mayor and Aldermen may, from time to time, direct; *Provided*, that said bonds shall not be issued until an election is held in said town to determine whether the legal voters of said town favor the issuance of said bonds.

Election.

How held.

SEC. 2. *Be it further enacted*, That the Mayor and Aldermen of said town shall, by ordinance, appoint some suitable person to open and hold the same, and that said election shall be held under such regulations and restrictions as the Mayor and Aldermen may, by ordinance, establish.

Who may vote.

SEC. 3. *Be it further enacted*, That all persons living within the limits of said town, and who are legal voters

according to the law of Tennessee, and who have been residing within the limits of the corporation of Johnson City for thirty days preceding the day of said election, and being bona fide citizens of said town, and all persons owning real estate within the limits of said town of Johnson City, who do not reside within the same, shall be entitled to vote at said election.

SEC. 4. *Be it further enacted*, That in no case shall any such bonds nor other evidences of debt be issued by the Mayor and Aldermen of said town of Johnson City until authorized by a three-fourths vote of the qualified voters voting of such city or town, expressed by an election to be held for that purpose.

SEC. 5. *Be it further enacted*, That the bonds herein provided for may be executed in the denomination of one hundred dollars to one thousand dollars, at the discretion of said Mayor and Aldermen, and shall mature at times from five to thirty years, as may be fixed by ordinance, and shall bear interest at such rate as said Mayor and Aldermen may adopt; *Provided*, it shall not exceed six per cent. per annum, said bonds to be issued with coupons attached.

SEC. 6. *Be it further enacted*, That said Mayor and Aldermen shall, by ordinance, provide for the assessment, levy and collection of such taxes as may be necessary to pay said bonds so issued and the accrued interest thereon, and may provide a sinking fund for the purpose.

SEC. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.  
Passed March 3, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 7, 1890.

ROBT. L. TAYLOR,  
*Governor.*

Three-fourths  
vote required

Denominations, rate of  
interest, and  
maturity of  
bonds.

Taxes to pay  
interest and  
bonds.

## CHAPTER 10.

AN ACT to authorize the Mayor and Aldermen of the town of Bristol, in the county of Sullivan, State of Tennessee, to issue interest-bearing coupon bonds to an amount not exceeding seventy-five thousand dollars (\$75,000), and to levy and collect taxes, and to provide for the redemption of said bonds.

**Authority to issue \$75,000 of bonds.** SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Mayor and Aldermen of the town of Bristol, in the county of Sullivan, State of Tennessee, be, and they are hereby authorized and fully empowered to issue, for railroad purposes, the interest-bearing negotiable coupon bonds of said town in an amount not exceeding seventy-five thousand dollars, in addition to bonds already issued; *Provided,* that in no case shall any such bonds be issued by the Mayor and Aldermen of said town until authorized by three-fourths of the votes cast at an election of the qualified voters of such town, to be held for that purpose, thirty days' notice of which shall be given by the Mayor, which notice shall set forth fully the time, place and object of such election, and for what purpose the bonds are to be issued; *Provided further,* that no such election shall be advertised until the Board of Mayor and Aldermen shall first order said election, stating fully the object for which said bonds are to be issued, said order to be copied in full in the records of the minutes of the meetings of said Board of Mayor and Aldermen; *Provided further,* that said bonds shall not bear a higher rate of interest than six per centum per annum; *Provided further,* that the Board of Mayor and Aldermen of said town shall appoint, by ballot, a board of trustees of the sinking fund, and fix their compensation to consist of three persons, not to be members of the Board of Mayor and Aldermen, who shall be elected one for one year, one for two years, and one for three years, and thereafter to elect one trustee each year, who shall hold office for three years, or until his successor shall be elected and qualified, but no trustee shall be elected without a concurrence of two-thirds of the members of the Board of Mayor and Aldermen. The members of the Board of Trustees of the sinking fund shall each give bond and security in the sum of twenty-five thousand dollars (\$25,000) conditioned upon their faithful performance of the duties devolving upon them as

**Three - fourths vote required**

**Rate of interest.**

**Trustees of sinking fund**

**Bonds.**

such trustees, said bonds to be examined and approved by the Board of Mayor and Aldermen.

SEC. 2. *Be it further enacted*, That the sinking fund trustees hereinbefore provided for shall have charge of the sinking fund to be raised for the bonds heretofore authorized to be issued, and their duties in reference to these bonds and in the management of the sinking fund shall be the same as those prescribed and defined for like trustees in the Act passed March 20, 1873, entitled "An Act to provide for the issuance of bonds by cities," except that said trustees shall only be required to give bonds in the sum of twenty-five thousand dollars each.

Duties of sinking fund trustees.

SEC. 3. *Be it further enacted*, That the Mayor and Aldermen of the town of Bristol shall annually levy a tax and provide for the payment of the interest and create a sinking fund for the payment of said bonds at maturing, and said fund shall in no case be used for any other purpose; *Provided*, it may be loaned at the legal rate of interest secured in the manner in which guardians are now authorized by law to loan the funds of their wards, and with the same restrictions.

Tax levy for sinking fund

SEC. 4. *Be it further enacted*, That said bonds shall be issued in manner, and from and under all the requirements and restrictions of an Act passed February 11, 1887, entitled "An Act to enable counties and incorporated cities and towns to subscribe to the capital stock of any railroad company incorporated under the general laws of this State in the mode prescribed therein, and to provide for the payment of such subscription," in so far as the same affects or authorizes subscriptions by incorporated cities or towns, except the restrictions and limitations set forth in Section 1 of said Act.

Conditions of issuance of bonds.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 6, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

C. R. BERRY,  
*Speaker pro tem. of the Senate.*

Approved March 8, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 11.

AN ACT to amend Section 4 of Chapter 212 of the Acts of 1889, entitled, "An Act to enable the town of Bristol to issue bonds for the purpose of improving its streets and sidewalks.

Amendment

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 4 of Chapter 212 of the Acts of 1889, be and the same is hereby so amended as to read as follows: That if the number of votes cast at said election in favor of the issuance of said bonds be equal to three-fourths of all the votes cast at said election, then the said bonds may be issued.

Three - fourths  
of votes cast  
only required

SEC. 2. *Be it further enacted*, That the portion of Section 4 of said Act that requires the number of votes cast in favor of the issuance of said improvement bonds shall be equal to three-fourths of all the votes cast at the preceding election of Mayor and Aldermen of said town, be and the same is hereby repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 6, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

C. R. BERRY,

*Speaker pro tem. of the Senate.*

Approved March 10, 1890.

ROBT. L. TAYLOR,

*Governor.*

## CHAPTER 12.

AN ACT to amend Chapter 19 of the Acts of 1867-8, passed November 21, 1867, and entitled "An Act to reduce the several Acts incorporating the town of Morristown in one Act, and to amend the same."

Amendment

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Sections 2 and 3 of Chapter 19 of the Acts of 1867-8, passed November 21, 1867, be so amended as that the term of office of the Mayor and Aldermen of said corporation shall be two years in-

stead of one year; *Provided*, that this amendment shall not apply to the term of office of the present Mayor and Aldermen.

SEC. 2. *Be it further enacted*, That Section 5 of said Act be so amended as that it shall read as follows: An election for Mayor and Aldermen shall be held on the third Saturday in December, 1890, and thereafter biennially on the third Saturday in December. The newly elected Mayor and Aldermen shall organize and be sworn into office on the first Monday in January following. The voters shall vote by ballot. Every person entitled to vote for members of the General Assembly by the laws of the State, and who shall have been a *bona fide* resident within the corporate limits thirty days next preceding the election, shall be entitled to vote. Non-residents owning a freehold within the corporate limits, or other property subject to corporation taxes, shall be entitled to vote at said election. The election shall be held by the Chief Marshal of the corporation, and the judges and clerks shall be appointed by the Mayor and Aldermen at their meeting next preceding said election, or in case of failure to make such appointment by the Mayor and Aldermen, then by the Chief Marshal. Said judges and clerks shall take an oath to faithfully and impartially discharge their duties. The polls shall be opened at 10 o'clock A. M. and closed at 4 o'clock P. M. When the result of such election shall be ascertained and transmitted to the Mayor, certified and authenticated by the clerks and a majority of the judges, with the tally sheet and poll list, as required in State elections, the Mayor shall deliver them to the Recorder as they are received by him, who shall enter the same as they are received in a book to be kept for that purpose, and file and preserve the original in his office, and the Recorder, within two days after he shall have ascertained the result of any election as herein prescribed, shall furnish a certificate of election to each person elected. In all cases of a tie in the election of an Alderman the election shall be referred back to the voters by the Mayor, and an election held within the next twenty days thereafter.

Elections to be held biennially

Qualification of voters.

Officers of election.

Election returns.

Action in case of tie.

SEC. 3. *Be it further enacted*, That Sub-section 1 of Section 6 of said Act be so amended as that the Mayor and Aldermen shall have power within the corporation to levy, assess and collect taxes upon property taxable by law for State purposes, and that said assessment may be made by corporation assessors or by the adoption of

Authority to levy and collect taxes.

assessment made by State and county assessors, or modifications of the same, and the collection may be made by corporation collectors or by the County Trustee, as may be provided by ordinance of said corporation.

**Taxes for 1890.** SEC. 4. *Be it further enacted*, That the existing Mayor and Aldermen shall have power to levy and collect a proportionate tax upon the taxable property within the corporate limits for the fractional part of the year from September 30, 1890, to January 1, 1891.

**Present Board to continue in office.** SEC. 5. *Be it further enacted*, That the present Board of Mayor and Aldermen of the town of Morristown be, and they are hereby continued in office until the first Monday in January, 1891, and until their successors shall be elected and qualified under this Act.

**Powers of Mayor and Recorder.** SEC. 6. *Be it further enacted*, That Sub-section 20 of Section 6 of said Act, passed November 21, 1867, be so amended as to read as follows: To appoint and regulate the police of the town; to impose fines, forfeitures and penalties for the breach of any ordinance, and to provide for their recovery and appropriation, and such recovery may be had before the Mayor or before the Recorder to be appointed by the Mayor and Aldermen, and who shall be a citizen of the town and a Justice of the Peace, and jurisdiction is vested in either of said officers to issue warrants, render judgments, issue executions and such other process as may be necessary for the enforcement of fines, forfeitures and penalties for the violation of the ordinances of said corporation; and any person against whom a judgment has been rendered by the Mayor or Recorder for violation of any of the ordinances of said town may, within two days thereafter, appeal to the Circuit Court of Hamblen county, Tennessee, upon giving bond and security in the sum of two hundred and fifty dollars for his appearance at the next term of said court to be held thereafter, conditioned according to the terms of appearance bonds required by law in criminal cases.

SEC. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 6, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

C. R. BERRY,  
*Speaker pro tem. of the Senate.*

Approved March 10, 1890.

ROBT. L. TAYLOR,  
*Governor.*



## CHAPTER 13.

AN ACT to incorporate Lookout Mountain, in Hamilton county, Tennessee, and to erect a certain part of the territory thereof into a municipal corporation.

SECTION 1. *Be it enacted by the General Assembly of* <sup>Boundaries.</sup> *the State of Tennessee,* That the inhabitants living within the following described boundaries, to-wit, beginning at a point on the line between the States of Georgia and Tennessee, on the main bluff of Lookout Mountain, on the eastern side or brow thereof, and running thence with the eastern edge of the main bluff or eastern brow northwardly to the point of the mountain; thence around the point and along the western brow or edge of the main bluff on the western side of the mountain southwardly to the State line, where it intersects said western brow or bluff of the mountain; thence eastwardly with said State line to the beginning, be and they are hereby incorporated under the name and style of the "Town of Lookout Mountain," and by that name they shall have perpetual succession, and shall sue and be sued.

SEC. 2. *Be it further enacted,* That the government of <sup>Commissioners</sup> said town be, and the same is hereby vested in three Commissioners, to be elected as herein directed. Each of said Commissioners shall be a bona fide citizen resident of and freeholder within the boundaries of the territory described in the first section of this Act, a majority of <sup>Quorum.</sup> whom shall constitute a quorum for the transaction of business.

SEC. 3. *Be it further enacted,* That the corporation <sup>Powers of the</sup> hereby created shall have full power: 1. To sue and be <sup>corporation.</sup> sued by the corporate name hereinbefore mentioned. 2. To adopt, have and use a corporate seal. 3. To enact such by-laws and ordinances as may be necessary and proper to preserve the health, quiet and good order of the town. 4. To prevent or remove nuisances. 5. To establish night watches and patrols, and to employ all necessary police officers to preserve the peace and enforce the ordinances and by-laws of said town. 6. To punish breaches of good order committed within its jurisdiction, and to appoint a person being a justice of the peace resident in said territory, before whom all offenders against the ordinances of the town shall be tried, and who shall collect and pay over to the town authorities all fines and

penalties arising out of the violation of any ordinance, or by-law of said town. 7. To ascertain and declare, when necessary, the boundaries and alleys. 8. To grant privileges in the use and enjoyment of the same. 9. To provide for paving streets and alleys and building sidewalks. 10. To sell and dispose of them if deemed expedient. 11. To provide for licensing, regulating auctions, theatrical and other shows and exhibitions. 12. To restrain and prohibit gaming. 13. To prohibit indecent exhibitions within its limits. 14. To establish and regulate markets and inspectors. 15. To provide for the organization and regulation of fire companies, and the sweeping of chimneys. 16. To dig wells and erect cisterns, and otherwise make arrangements and contracts for supplying said town and the inhabitants thereof with water, and to regulate gas and electric light companies. 17. To impose and collect fines and penalties for breaches of its ordinances. 18. To levy and collect taxes on all property and privileges within its limits, which are or shall be taxable by the laws of the State. 19. To pass all by-laws and ordinances necessary and proper to enforce the powers granted, and not inconsistent with the constitution and laws of the United States, or of the State of Tennessee.

Commissioners  
How chosen.

SEC. 4. *Be it further enacted*, That it shall be the duty of the Sheriff of Hamilton county to open and hold an election at some convenient place within the boundaries mentioned in section first of this Act, after having given ten days' previous notice by written advertisement posted in at least three places in the territory mentioned; for the purpose of electing three Commissioners, to be known of the Town of Lookout Mountain. At said election all bona fide male citizens above the age of twenty-one years, and all male non-resident freeholders above the age of twenty one years within the boundaries of said town shall be qualified voters. The three persons receiving the highest number of votes shall be declared elected, and they shall hold their offices for one year, and until their successors are elected and qualified.

Powers of commissioners.

SEC. 5. *Be it further enacted*, That said Commissioners, in the name of said town, shall have all the powers to lay out streets and alleys and acquire land for streets and alleys, by gift, purchase or condemnation, as is possessed by other cities and towns in this State, condemnation proceedings to be conducted in the same way as in other towns and cities.

SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.  
Passed March 3, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

C. R. BERRY,  
*Speaker pro tem. of the Senate.*

Approved March 10, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 14.

AN ACT to amend an Act entitled "An Act to provide for the election of school directors biennially," passed April 5, 1889, and approved April 6, 1889, it being Chapter 247 of the Acts of 1889.

SECTION 1. *Be it enacted by the General Assembly of* Amendment  
*the State of Tennessee*, That Chapter 247 of the Acts of 1889 be, and the same is hereby amended by inserting after the word "until," in the fourth line of Section 2 thereof, and before the figures "1892," in the fifth line of said section, the following words and figures, to-wit: "1890, and the terms of directors expiring in 1891 shall be extended until."

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.  
Passed March 7, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

C. R. BERRY,  
*Speaker pro tem. of the Senate.*

Approved March 10, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 15.

AN ACT to annex certain territory to the city of Nashville.

Corporate lim-  
its extended.

Boundaries.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the area and corporate limits of the Mayor and City Council of Nashville, a municipality organized under an Act of the General Assembly, passed March 21, 1883, Chapter 114, be extended so as to embrace and include the following territory lying contiguous thereto and now a part of the Ninth, Fifteenth and Thirteenth districts of Davidson county, Tenn., beginning on the present corporation line at the intersection of Bostick street with Cedar street, thence northwardly with the west margin of Bostick street to its intersection with the first alley south of and parallel with Line street; thence westwardly with and including said alley to the west boundary line of J. S. Glenn's lot; thence northwardly with said west boundary line to Line street; thence crossing Line street diagonally to the west boundary line of J. A. Warner, Sr's., property; thence with J. A. Warner's, Sr., west line northwardly to Warner street; thence crossing Warner street northwardly to the alley just west of and parallel to Walnut street; thence northwardly with said alley to the northern boundary line of Jno. A. Warner, Jr's., lot; thence eastwardly with said north boundary line to Walnut street; thence northwardly with and including Walnut street to Clinton street; thence eastwardly with and including Clinton street to the alley west of and adjoining the Union Stock Yard; thence southwardly with and including said last named alley to Line street; thence eastwardly with and including Line street to Robertson street; thence northwardly with and including Robertson street to the southern margin of Sevier street; thence eastwardly with the southern margin of Sevier street to Park street; thence southwardly with and including Park street to Clinton street; thence eastwardly with and including Clinton street to Cumberland street; thence in a straight line through intervening property to Crawford street at its intersection with Bellville street; thence northwardly with and including Belleville street to Gleaves street; thence westwardly with and including Gleaves street to Clay street; thence northwardly with and including

Clay street to the southern margin of Hamilton street; <sup>Boundaries.</sup> thence westwardly with the southern line of Hamilton street and in a straight line projected to Walnut street; thence southwardly with and including Walnut street to Batavia street; thence westwardly with and including Batavia street to Tweed street; thence northwardly with and including Tweed street to Jefferson street; thence eastwardly with and including Jefferson street to Salem street; thence northwardly with and including Salem street to the Hyde's Ferry turnpike; thence eastwardly with and including Hyde's Ferry turnpike to its intersection with the Buena Vista pike; thence northwardly with and including the Buena Vista turnpike to Cass street; thence eastwardly with and including Cass street to Bremen street; thence southwardly with and including Bremen street to McGavock avenue at its intersection with North Clay street; thence southwardly with and including McGavock avenue to Taylor street; thence eastwardly with and including Taylor street to Summer; thence northwardly with and including Summer street to Hume street; thence westwardly with and including Hume street to the western margin of Vine street; thence northwardly with the western margin of Vine street to North Clay street; thence eastwardly with and including North Clay street to the eastern margin of College street; thence southwardly with the eastern margin of College street to the northern boundary line of the City Park property; thence eastwardly with said north boundary line to the east boundary line of said property; thence southwardly with said east boundary line, and in a straight line projected to Hume street; thence eastwardly with and including Hume street to the western boundary of Bush's brick-yard; thence southwardly with said boundary line to Adams street; thence southwardly with and including Adams street to the southern boundary line of the Nashville Spoke & Handle Factory property; thence eastwardly with said last named line to the center of the Cumberland river; thence southwardly with the center of said river to the present corporation line; also, beginning at the intersection of the present corporation line with South Cherry street; thence in a straight line at right angles to said street eastwardly to College street, and continuing eastwardly with and including the alley running from College street to Cherry street to Market street at its intersection with South Hill street; thence eastwardly with South Hill street to the unnamed street east of and ad-

joining the old fair-ground tract; thence northwardly with and including said unnamed street, and continuing in a straight line through intervening property to the intersection of Donelson street with the Murfreesboro turnpike; thence northwardly with and including Donelson street to Hermitage street; thence along the western margin of Donelson street to the southern margin of Cannon street; thence along said southern margin of Cannon street to Fairfield avenue; thence northwardly along the eastern margin of Fairfield avenue to Fain street; thence eastwardly and including Fain street to the eastern margin of Donelson street; thence along said margin to Hermitage avenue, also called Meredith avenue; thence with and including said avenue to the Lebanon turnpike; thence with said turnpike westwardly to Petway street; thence northwardly with and including Petway street to the southern boundary line of the property of Fulcher & Dyas Brick Co.; thence westwardly with said line to the present corporation line.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 6, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

C. R. BERRY,  
*Speaker pro tem. of the Senate.*

Approved March 10, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 16.

AN ACT to enlarge the boundaries of the city of Nashville.

M. E. Hynes'  
lot incorpo-  
rated.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the boundaries of the city of Nashville be so enlarged as to run as follows: Commencing at a point on the corporation line of the city of Nashville, and on the north line of Cedar street, at the

corner common to the lot of John Ryan and Martin E. Hynes; running thence northwardly along the west line of said Hynes property one hundred and ninety-three (193) feet; thence eastwardly and parallel to Cedar street thirty-two (32) feet; thence southwardly and parallel to the first line above one hundred and ninety-three (193) feet to the line of the corporation of Nashville on Cedar street, and including the whole of the lot devised to Martin E. Hynes by Barney Hynes by will recorded in Will Book No. 22, page 586, of the book of wills of Davidson county.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 6, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

C. R. BERRY,

*Speaker pro tem. of the Senate.*

Approved March 10, 1890.

ROBT. L. TAYLOR,

*Goveanor.*

## CHAPTER 17.

AN ACT to make valid articles or charters of incorporation heretofore taken out under the general incorporation laws of Tennessee, and acknowledged before Notaries Public, and make valid all proper and otherwise lawful acts and contracts done pursuant thereto.

WHEREAS, Many charters or incorporations have heretofore been taken out under the general incorporation laws of this State and acknowledged before Notaries Public instead of County Court Clerks, and companies organized, and business of great magnitude transacted thereunder; and,

WHEREAS, It was ruled and determined by the Secretary of State that such acknowledgements were good and valid, and for many years all charters so acknowledged have been duly registered and recorded in the Sec-

retary of State's office and the county registers, as required by law; and,

WHEREAS, The validity of such charters has recently been brought in question to the great peril of important and established business interests; now, therefore,

Charters irregularly proven ratified.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all charters or articles of incorporation heretofore taken out under the general corporation laws in this State which were or have been acknowledged or proven before Notaries Public, are hereby ratified and confirmed, and shall have and possess the same validity and effect as if they had been acknowledged or proven before a County Court Clerk; and the Acts, contracts and obligations of all such corporation so organized shall have and possess the same validity, force and effect as if the charters of such corporations had been acknowledged before the County Court Clerks.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it. Passed March 4, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 10, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 18.

AN ACT to abolish the county of James, and to restore the territory embraced in said county to the counties of Bradley and Hamilton, to which it belonged before the establishment of said county of James.

James County abolished.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county of James heretofore established by an Act of the General Assembly out of portions of Bradley and Hamilton counties, be and the same is hereby abolished and dissolved, and the territory which heretofore comprised the county of James is hereby restored to the counties of



Bradley and Hamilton, respectively, from which the same was taken in the formation of said county of James, and the line between the counties of Bradley and Hamilton shall be as it was before James county was formed.

SEC. 2. *Be it further enacted*, That it shall be the duty of the Trustee of James county to make out and certify to the County Court of Hamilton county a correct list of all uncollected taxes, both back taxes and current taxes, levied and assessed against property situate in that part of James county which was taken from Hamilton county and against persons residing therein, which shall be turned over to the Trustee of Hamilton county, to be by him collected and disbursed as other revenues; and he shall also, in the same way, certify to the County Court of Bradley county a correct list of said uncollected taxes against property situate in and against persons residing in that part of said county which was taken off Bradley county, and the same shall be collected and disbursed by the Trustee of Bradley county as other revenues.

Duty of Trustee of James County.

SEC. 3. *Be it further enacted*, That the indebtedness of said James county shall be paid by the counties of Hamilton and Bradley in proportion to the taxable value of the property situate in the portions of said county which were taken from Hamilton and Bradley counties in the formation of James, and it is hereby made the duty of the County Court of each of said counties, at the April term, 1890, to appoint a committee of conference, who shall meet together and ascertain the indebtedness of said county of James, and apportion the amount thereof to be paid by each of the counties, and report their action to their respective courts for confirmation, and when the same is confirmed it shall operate as a final settlement of the matter.

Indebtedness to be paid by old counties.

SEC. 4. *Be it further enacted*, That all the property, real and personal, which belongs to James county, situate in the territory which goes back to Hamilton, shall become the property of Hamilton county, and all that part situate in the territory of Bradley shall become the property of Bradley county. The books and records in the Register's office of James county shall be turned over to the Register of Hamilton county. The records, papers, files, etc., in the Circuit and Chancery Courts of James county shall be, by the respective clerks of said courts, turned over to the Circuit and Chancery Courts respectively of Hamilton county, to be there docketed

Property to revert to old counties.

Disposition of records, etc.

and proceeded with as if they had originally belonged there, and where in either of said courts it appears that the suit is against a person residing in the territory of Bradley, the same may be transferred, on motion of either party, to the proper court in Bradley county. The records of the County Court shall likewise be turned over to the County Court of Hamilton, and all matter therein properly belonging to Bradley county, such as matters of administration, guardianship, and the like, shall be transferred to Bradley. In case of the transfer of causes from the Chancery or Circuit Court of matters from the County Court to Bradley by the courts of Hamilton, the original papers, and depositions and transcripts of the records, the rule dockets and execution dockets shall be sent up.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it; and

Repeal of conflicting Acts.

*Be it further enacted*, That the Act passed January 27, 1871, creating the county of James, and all other Acts and parts of Acts in conflict with this Act, be and the same are hereby repealed.

Passed March 8, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

BENJ. J. LEA,

*Speaker of the Senate.*

Approved March 11, 1890.

ROBT. L. TAYLOR,

*Governor.*

## CHAPTER 19.

AN ACT to amend Section 5 of Chapter 20, of the Acts of the General Assembly of the State of Tennessee, passed at the extraordinary session of 1885, so as to change the time of holding the Chancery Courts in the counties of Cumberland, Fentress, Pickett and White, in the Fifth Chancery Division.

Acts of 1885 amended.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 5 of Chapter 20 of

the Acts of the extraordinary session of the General Assembly of 1885, fixing the time of holding the Chancery Courts for the counties of Cumberland, Fentress, Pickett and White, be so amended as to read as follows: <sup>Times of holding courts.</sup> The Chancery Court for Cumberland county shall be held on the first Mondays in May and November; Fentress county on the second Mondays in May and November; Pickett county on the third Mondays in May and November, and White county on the second Mondays in June and December.

SEC. 2. *Be it further enacted*, That all process which <sup>Process.</sup> is now or may hereafter be made returnable to any other time than that fixed by this Act, shall be transferred to the time fixed by this Act, and shall have as full force and effect as though no change of time had been made.

SEC. 3. *Be it further enacted*, That all laws and parts <sup>Repeal.</sup> of laws in conflict with the provisions of this Act be, and the same are hereby repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 11, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 20.

AN ACT extending the corporate limits of the city of Nashville.

SECTION 1. *Be it enacted by the General Assembly of* <sup>Corporate limits extended.</sup> *the State of Tennessee*, That the area and corporate limits of the Mayor and City Council of Nashville, a municipality organized under an Act of the General Assembly of Tennessee, passed March 21, 1883, Chapter 114, be extended so as to embrace and include the following <sup>Boundaries.</sup> property lying contiguous thereto: Beginning at the intersection of the present corporation line and Lischey

avenue; thence northwardly with and including said avenue to Ligon lane; thence westwardly with and including Ligon lane to the western margin of the Brick Church turnpike; thence southwardly with and including said Brick Church turnpike to the southern margin of White's Creek turnpike; thence with and including said White's Creek turnpike to the present corporation line at Crutcher street.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.  
Passed March 8, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 11, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 21.

AN ACT to amend an Act entitled "An Act to prevent the scalage on cotton," passed March 15, 1889, and approved March 20, 1889.

Act of 1889  
amended.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 2 of an Act entitled "An Act to prevent the scalage on cotton," passed March 15, 1889, and approved March 20, 1889, be and it is hereby amended by inserting between "cotton" and "when," in the fourth line in said Section 2, or any number of pounds for bagging and ties; *Provided*, the number of pounds agreed upon to be deducted shall not exceed the actual weight of bagging and ties.

Passed March 10, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 11, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 22.

AN ACT to extend the corporation limits of Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the corporate limits of the city of Nashville be extended so as to include the following described territory, viz.: Beginning at the intersection of Boyd avenue with Hays street; thence with and including Hays street westwardly 325 feet; thence southwardly 225 feet to an alley; thence eastwardly with and including said alley to the present corporation line. Boundaries.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.  
Passed March 12, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 13, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 23.

AN ACT to amend an Act entitled "An Act to regulate elections in this State for electors for President and Vice-President of the United States, members of Congress and Governor, and members of the General Assembly," being Chapter 218 of the Acts of Tennessee, passed by the Forty-sixth General Assembly, 1889, passed and approved April 6, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act to regulate elections for President and Vice-President of the United States, members of Congress and Governor, and members of the General Assembly be amended in the third line of Section 1 of said Act by inserting, after the word "Tuesday," the words "after the first Monday." Act of 1889 amended.

SEC. 2. *Be it further enacted*, That said Act shall be further amended in the fifth line of Section 8, by inserting, after the word "Tuesday," the words "after the first Monday."

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 13, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 24.

AN ACT to provide more stringent regulations for securing the purity of elections in this State, and applicable to counties having a population of 70,000 inhabitants and over, computed by the Federal census of 1880, or which may hereafter have that number, or over that number, of inhabitants, computed by any subsequent Federal census, and to cities having a population of 9,000 inhabitants or over, computed by the Federal census of 1880, or which may hereafter have that, or over that number of inhabitants, computed by any subsequent Federal census.

Ballots to be  
printed and  
distributed at  
public ex-  
pense.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee.* That all ballots cast in general elections for national, State, county, municipal and district officers in the towns, counties and civil districts to which this Act is applicable, shall be printed and distributed at public expense, as hereinafter provided. The printing and distribution of ballots and cards of instruction to voters shall, in municipal elections, be paid by the cities, and in all other elections by the counties in which said elections are held, subject to the provisions of this Act. The term "State elections," as used in this Act, shall apply to any election held for the choice of national, State, county or district officer or officers, and the term "State officer" shall apply to any person to be chosen at such elections. The term "national elections" shall apply to any elections held for the purpose of choosing a member of Congress or Electors for President and Vice President of the United States. The term "city election" shall apply to any municipal election so held in a city, and the term "city officer" shall apply to any person to be chosen by the qualified voters at such an election.

Elections-How  
designated.

SEC. 2. *Be it further enacted*, That the provisions of this Act shall be applicable to all counties in Tennessee having, according to the Federal census of 1880, or which may hereafter have by any subsequent Federal census, a population of 70,000 inhabitants, or over that number, and to all cities in Tennessee having, according to said Federal census of 1880, or which may hereafter have by any subsequent Federal census, a population of 9,000 inhabitants, or over that number; *Provided*, that the last published census shall control in every case.

Applicable to counties of 70,000 inhabitants; cities of 9,000.

X

SEC. 3. *Be it further enacted*, That the ballots printed for use under the provisions of this Act shall contain the names of all the candidates who have been put in nomination by any caucus, convention, mass-meeting or other assembly of any political party in this State at least ten days previous to the day of election. It shall be the duty of the Chairman of the Board of Commissioners to have printed all necessary ballots for use under the provisions of this Act, and he shall cause to be printed upon said ballots the names of candidates so nominated upon the written request of any one of the candidates so nominated, or upon the written request of any qualified voter who will affirm that he was a member of said caucus, and the name presented by him was the nominee of said caucus, convention or mass-meeting, or other assembly of any such political party. The said officer shall cause to be printed upon said ballots the name of any qualified voter who has been requested to be a candidate for any office by a written petition signed by at least fifteen citizens qualified to vote in the election to fill said office, when such petition has been given him at least ten days previous to the election; but if any qualified citizen has been nominated as above specified within less than ten days of the election, or has been requested to be a candidate, as above specified, then said names shall not be printed upon said tickets. But in addition to the names printed upon said tickets, there shall be at least one blank space under each office to be voted for, and the candidate nominated or who desires to run of his own volition, may have a separate ticket printed, upon which the title of the office for which he is a candidate and his own name and address shall be printed, and said candidate may give these to the officer or officers distributing ballots upon the day of election, and said officer shall give to each voter, in addition to the printed ticket, as hereinafter specified, a copy of said ticket. The voters receiving said ticket shall not vote it, but may

Ballots—What names shall be printed on them.

Blank space and separate tickets.

consult it to enable him to write upon the ticket printed at public expense the name of such candidate should he so desire, and designate the same by mark, as hereinbefore prescribed; *Provided*, that if said voter cannot write, he may receive from the officer holding the election a slip upon which the name of the candidate to be voted for is printed, and such slip shall be pasted in the appropriate blank space by the voter. The candidate to be voted for shall furnish the officer holding the election with said slips.

Names may be  
withdrawn  
from ticket—  
how.

SEC. 4. *Be it further enacted*, That after the proper officer has been notified of the nomination, as hereinbefore specified, of any candidate for any office, he shall not withdraw same unless upon the written request of the candidate so nominated, made at least ten days before the day of election.

What ballots  
shall contain

SEC. 5. *Be it further enacted*, That every general ballot which shall be printed in accordance with the provisions of this Act shall contain the names of all candidates nominated as hereinbefore specified, and not withdrawn as hereinbefore specified. The names of all candidates for the same office shall be printed together and arranged alphabetically according to the initials of their surnames, irrespective of party. But the order in which the title of the various offices to be filled shall be arranged upon each separate ticket or ballot shall be left to the will of the officer or officers charged with the printing of said tickets. The names of Presidential Electors shall be arranged in groups, according to political parties, and preceded by the words, "Electors (giving the name) for candidate for President and for (giving the name) candidate for Vice President." Whenever the question of a constitutional amendment or other question is so submitted to the vote of the people, such questions shall be printed upon the ballot after the list of candidates, followed by the words "Yes" and "No," so that the voter can intelligently vote his preference by making a cross mark (X) opposite the proper word. Immediately following the title of each officer shall be printed the words, "Vote for one," "Vote for two," according to the number to be elected. The ballot shall not be less than eleven nor more than thirteen inches wide. On the back and outside, when folded, shall be printed, "Official ballot for," followed by the designation of the polling place for which the ballot is prepared, the date of election and a *fac simile* of the signature of the officer or officers charged with the printing of the ballots; *Provided*, that when



separate ballot boxes are prepared and used for the purpose of receiving the ballots cast for national officers, then and in that event a separate ballot shall be prepared for use at said ballot-box, and this ballot shall conform to the general rules governing the preparing, printing and distribution of official ballots, as provided for herein.

SEC. 6. *Be it further enacted*, That all ballots for use in each ward or civil district shall be fastened together in convenient numbers in books or blocks, in such a manner that each ballot may be detached and removed separately. Each ballot shall have attached to it a stub of sufficient size to enable the Registrar to write a number thereon, and so attached to the ballot that when the same is folded the stub can be detached therefrom without injury to the ballot or exposing the contents thereof. There shall be printed on this stub "No. —." A record of the number of ballots printed and furnished to each polling place shall be kept and presented to the proper authorities for payment by the officer or officers in each county charged with the printing of ballots.

Ballots to be fastened together in books or blocks with stubs.

SEC. 7. *Be it further enacted*, That there shall be provided for each voting place at which an election is to be held such a number of ballots that there shall be at least one hundred for every fifty registered voters at said polling place. Every civil district or ward to which the provisions of this Act apply, shall have the same number of polling places as are now or may hereafter be provided by law. Where there are two or more polling places in any one civil district or ward, a qualified voter of said ward or district may vote at the one he prefers. The Registrars of Election shall notify the Commissioners of Election, or the officer charged with the printing of ballots, of the number of registered voters in each ward and civil district at least twelve days before the day of election.

Number of ballots to be furnished.

SEC. 8. *Be it further enacted*, That the Commissioners of Election shall, in addition to the ballots, prepare full instructions for the guidance of voters at such elections, as to obtaining ballots, as to the manner of marking them, and the method of gaining assistance and as to obtaining new ballots in place of those accidentally spoiled, and they shall respectively cause the same to be printed in large, clear type, on separate cards, to be called "cards of instruction," and they shall respectively furnish the same and the ballots for use in each such election.

Instructions as to voting.

SEC. 9. *Be it further enacted*, That the Commissioners

Commissioners of Registration shall deliver to one of the Registrars in each ward and civil district or voting precinct the proper number of ballots and cards of instruction, as required by the provisions of this Act, on or before the day of election. Where there are two or more voting places in any one ward or civil district, the Commissioners of Registration, in addition to the two Registrars for each ward or civil district shall appoint additional Registrars, so that there shall be two Registrars at each voting place. In addition to the Registrars appointed herein, the Commissioners of Registration shall appoint for every polling place one assistant Registrar, who shall serve for the day of election only, and that without compensation, and take the oath prescribed for Registrars herein.

Destroyed or stolen ballots — how replaced. SEC. 10. *Be it further enacted*, That in case the ballots to be furnished to any ward or civil district in accordance with the provisions of this Act shall fail for any reason to be duly delivered, or in case after delivery they shall be destroyed or stolen, it shall be the duty of the Registrars in said ward or civil district to cause other ballots to be prepared substantially in the form of the ballots so wanting and to be furnished; and if there is not time to prepare said ballots substantially in the form as required by the provisions of this Act, then the Registrars may have printed plain white tickets of the most convenient size, containing the names of the candidates as required by law, which shall be voted in the same manner and under the same restrictions as the tickets herein provided for. Within three days after the close of the polls on election days, the Registrars having furnished such tickets shall make a written report of the whole circumstances of the loss of the tickets and the printing of the others, under oath, to the Commissioners of Registration, who shall make such endorsements as they see fit, and transmit the same to the grand jury of the court.

Registrars to report.

Duties of Registrars.

SEC. 11. *Be it further enacted*, That in addition to the duties required in the registration of voters, the Registrars of Election shall be compelled to distribute the tickets provided at public expense, and such other duties as are provided for herein; and each Registrar shall receive for the distribution of tickets on election day the sum of one dollar. If any Registrar fails or refuses to serve as herein provided, the officer holding the election shall swear in a bystander of the same political faith of the Registrar not serving. The following oath, at the opening of the polls, shall be administered by the officer

holding the election to each Registrar or bystander appointed to act as Registrar: "I do solemnly swear I will administer the duties of my office without fear or favor, and that I will not attempt to guide, direct or influence any voter in the exercise of his franchise, so help me God." The bystander sworn in to act as Registrar shall receive the same compensation as the Registrar is entitled to. The Registrar shall have charge of the ballots and shall furnish them to the voters in the manner hereinafter set forth. A certified list of the qualified voters in each ward and district in which there are more than one voting place, shall be supplied by the Commissioners of Registration to the judges at each polling place.

SEC. 12. *Be it further enacted*, That the officer in each county whose duty it is to hold the election and appoint polling places therein, as herein provided for, shall cause the same to be suitably provided with a sufficient number of voting shelves or tables at or on which voters may conveniently mark their ballots. Each compartment, table or shelf shall be so arranged that it shall be impossible for one voter at one table or in one compartment to see another voter at another table or compartment in the act of marking his ballot. The arrangement shall be such that neither the ballot-boxes nor the voting shelves or compartments shall be hidden from the view of the judges of election or those just outside a guard rail which may run in front of the ballot-box. The number of such voting shelves, tables or compartments shall not be less than three for every one hundred voters qualified to vote at such polling places. No persons other than the election officers and voters admitted as hereinafter provided, shall be permitted within said rail or room where the election is held except by authority of the officer holding the election, for the purpose of keeping order and enforcing the law. Each voting shelf or compartment shall be kept provided with proper supplies and conveniences for marking the ballots.

SEC. 13. *Be it further enacted*, That the Registrar having the official ballots shall stand not closer than ten feet to the entrance of the room in which the ballot-box is placed. A double gangway with rail guards may run from the point occupied by the Registrar to the said entrance, and no one who has already voted, or who is not ready or qualified to vote, shall come nearer than fifty feet to said rail guard or entrance. As requested by each of the voters, the Registrar shall hand the voter

Regulations  
for voting at  
polling places

one official ballot and a card of instructions, but so that not more voters than there are voting compartments shall be admitted into the room in which are the ballot-boxes and the compartments, tables or shelves.

Manner of voting.

SEC. 14. *Be it further enacted*, That upon receipt of his ballot the voter shall forthwith enter the room in which the voting is to take place, and present to the assistant Registrar his blank ballot and certificate of registration; *Provided*, the Registrar shall, upon demand of any voter made at the time his ballot is handed to him, give to such voter a correct statement of the order in which the title of the various offices to be filled stand upon the particular ballot furnished to such voter. The assistant Registrar shall then number the ballot upon the stub thereof, and also place upon the certificate of registration the same number. He shall then go to one of the voting shelves, tables or compartments and shall prepare his ballot by marking in the appropriate margin or place a cross (X) opposite the name of the candidate of his choice for each office to be filled, or by filling in the name of the candidate of his choice in the blank space provided therefor, and marking a cross (X) opposite thereto, and likewise a cross opposite the answer he desires to give in case of a constitutional amendment.

Folding ballots.

Before leaving the voting shell or compartment the voter shall fold his ballot without displaying the marks thereon, but so that the words "Official ballot for," followed by the designation of the polling place for which the ballot is prepared, the date of the election and the *fac simile* of the signatures of the Commissioners of Registration and the numbered stub shall be plainly visible to the officers of election, and shall present to said officers his certificate of registration and marked ballot, and if the numbers on each correspond, the officer of election shall tear off and destroy said stub at once. To prevent

Cancellation of certificates.

repeating by voters the judges of election shall take up and cancel the certificate of registration by said voter, except in case of election held for State and national officers at the same time, when two ballot-boxes are required under the laws of Tennessee; then and in that event the judges shall strike out by drawing with pen and ink a heavy line across the words printed upon said certificate showing the election or ballot-box at which the vote was cast, and when the said certificate is presented to the second officer at the other box it shall be taken up and canceled. He shall then vote in the manner now provided by law. He shall mark and deposit

Conduct of voter.

his ballot without undue delay and shall quit said enclosed space or room as soon as he has voted. No such voter shall be allowed to occupy a voting shelf, table or compartment already occupied by another, nor longer than ten minutes if other voters are not waiting, nor longer than five minutes in case other voters are waiting. No person shall be allowed in the room in which said ballot-box and compartments are except the officers of election and those appointed by the officer holding the election, and none other, to secure the observance of the provisions of this Act. In the case of cities having Policemen and peace officers duly enrolled policemen or peace officers, the city authorities may designate the officers to keep the peace at the polls on the outside of the room in which is the ballot-box, and not closer than ten feet to the entrance of our rail-guard, if there be such, leading to said room. But in no event shall said policemen or peace officers come nearer to said entrance than ten feet, or enter the room in which is the ballot-box, unless specially requested to do so by the Sheriff or Deputy Sheriff holding the election, and at any time when requested to do so by said officer holding the election, the said policeman or policemen shall retire from the room in which is the ballot-box, and to a point not nearer than ten feet to the aforesaid entrance or rail-guard.

SEC. 15. *Be it further enacted*, That no person shall Spoiled ballots take or remove any ballot from the polling place before the close of the polls. If any voter spoils a ballot he may successively obtain others, one at a time, not exceeding three in all, upon returning each spoiled one.

SEC. 16. *Be it further enacted*, That any voter who Assistance to physically disabled voters. declares to the officer holding the election, that by reason of blindness or other physical disability he is unable to mark his ballot, shall, upon request, receive the assistance of the officer holding the election in the marking thereof, and such officer shall certify on the outside that it was so marked with his assistance, and shall give no information in regard to the same.

SEC. 17. *Be it further enacted*. That if the voter marks Improperly marked ballots. more names than there are persons to be elected to an office, or if for any reason it is impossible to determine the voter's choice for any office to be filled, his ballot shall not be counted for such office. But this shall not vitiate the ballot so far as properly marked. No ballot without the official endorsement of the Chairman of the Board of Commissioners shall be deposited, and none

but ballots provided in accordance with the provisions of this Act shall be counted.

Offenses of voters.

SEC. 18. *Be it further enacted*, That a voter who shall, except as herein otherwise provided, allow his ballot to be seen by any person, or who shall take or remove, or attempt to take or remove, any ballot from the polling place before the close of the polls, or who shall make a false statement as to his inability to mark his ballot, or place any mark upon his ballot by which it may be afterward identified as the one voted by him, or any person who shall interfere, or attempt to interfere, with any voter when inside said enclosed space, or when marking his ballot, or who shall remain longer than the specified time allowed by this Act in the booth after being notified that his time has expired, or who shall endeavor to induce any voter before voting to show how he marks or has marked his ballot, or aid, or attempt to aid, any voter by means of any mechanical device, or any other means whatever, in marking his ballot, shall be punished by fine not less than ten nor more than one hundred dollars, and election officers shall cause any person so doing to be arrested and treated as one caught in the very act of committing a misdemeanor; and any ballot marked by the voter for identification shall be rejected.

Interference with voters.

Penalty.

Election officers failing to perform duty punishable.

SEC. 19. *Be it further enacted*, That any Commissioner of Registration or Registrar who willfully and knowingly refuses or fails to perform the duties herein prescribed shall be guilty of a misdemeanor and subject to a fine of not less than fifty nor more than two hundred dollars and to imprisonment in the county jail not less than ten nor more than ninety days, at the discretion of the court. Any officer of election who violates willfully and knowingly the provisions of this Act shall be subject to a fine not less than fifty and not more than two hundred dollars, and to imprisonment in the county jail not exceeding three months, at the discretion of the court. Any Sheriff or Coroner whose duty it is to hold the elections herein provided for, who willfully neglects, fails or refuses to open and hold said elections in accordance with the requirements herein made, shall be guilty of a misdemeanor in office, and be subject to a fine not less than \$500 nor more than \$2,000, and upon conviction shall be removed from office; and in event the Sheriff or Coroner of any county neglects, fails or refuses to hold the election herein provided for, the duties, responsibilities and authority of the Sheriff shall devolve upon the Chairman of the Commissioners of Registra-

Violations of this Act.

Sheriff or Coroner.

tion, who shall exercise for the time being the functions of said Sheriff in holding that election.

SEC. 20. *Be it further enacted*, That an Act entitled *Repeal of conflicting Acts.* "An Act to provide more stringent regulations for securing the purity of elections in this State," and applicable to counties having a population of over 70,000, and cities of over 9,000 inhabitants, computed by the census of 1880, passed April 2, 1889, and approved April 4, 1889, being Chapter 188 of the Acts of Tennessee, 1889, be and the same is hereby repealed, and all other laws and parts of laws inconsistent with and contrary to the provisions of this Act, be and the same are hereby repealed.

SEC. 21. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 13, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 25.

AN ACT to provide for the registration of voters in this State in counties having a population of 70,000 inhabitants or over that number, computed by the Federal census of 1880, or which may hereafter have that number or over, computed by any subsequent Federal census, and to towns, cities and civil districts having a population of 2,500 inhabitants or over, computed by the Federal census of 1880, or which may hereafter have that number or over that number by any subsequent Federal census.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter, in all counties in this State having a population of 70,000 inhabitants or over that number, computed by the Federal census of 1880, or which may hereafter have that number or over, computed by any subsequent Federal census, and cities, towns and civil districts having a population of 2,500 inhabitants or over that number, computed by the Federal census of 1880, or may hereafter have that number *Applies to counties with 70,000, and to cities of 25,000 inhabitants.*

or over, computed by any subsequent Federal census, each and every voter, in addition to the regulations now required by law to entitle him to vote, shall be registered as a voter as hereinafter provided, before he shall be allowed to exercise the elective franchise; *Provided*, that the last published census shall control in every case; *Provided further*, that if any town or district shall be divided after coming under the provisions of this Act, it shall be the duty of the Commissioners of Registration to at once ascertain whether either of the divisions of the divided district or town still have the requisite number of inhabitants to continue it under the provisions of this Act according to the preceding Federal census.

Commissioners  
of Registration.

SEC. 2. *Be it further enacted*, That a board of three Commissioners of Registration, two of whom shall constitute a quorum for the transaction of business, shall be appointed by the Governor for each county in which such city or cities, town or towns, civil district or civil districts falling within the provisions of this Act requiring registration of voters may be located, and said Commissioners shall be citizens of and qualified voters, as now provided by law, in the counties for which they are appointed, and of whom not more than two shall be of the same political party. They shall be appointed on or before the first of April, 1890, and every two years thereafter, and shall hold their office for the term of two years, and all vacancies shall be filled by appointment of the Governor, as in the first instance. Said Commissioners shall serve without compensation, and before entering upon the duties of their office shall take and subscribe to an oath before any Justice of the Peace or Judge of a court of record, authorized by law to administer oaths, in the county for which they are appointed, to faithfully and honestly discharge the duties of their office. It shall be the duty of said Commissioners to qualify, within ten days after their appointment, and organize by the selection of one of their number as chairman, and to appoint Registrars of voters as herein provided, a majority of the board in all cases having full power to act; and a failure on the part of any such Commissioner to so qualify shall, in all cases, vacate the appointment of such Commissioner.

Oath.

To appoint  
Registrars.

Qualification  
of Registrars

SEC. 3. *Be it further enacted*, That the Commissioners of Registration herein provided shall, ninety days prior to every general, State, county and municipal election, appoint two Registrars of voters, both of whom shall be residents of the civil districts or wards they are intended



to serve in, not more than one of whom shall be of the same political party for such civil district, county, town or city falling within the provisions of this Act in their respective counties; *Provided*, that where towns or cities in such counties are divided into wards, voting separately, they shall appoint two Registrars for each ward in such town or city; *Provided*, that the provisions of this Act shall not apply to special elections held by any city or town to enable it to subscribe to the capital stock of any railroad or issue bonds for sewerage, water-works, street improvements and paving, funding outstanding indebtedness or other work of internal improvement when said city or town votes in conjunction with the civil district in which it is situated.

SEC. 4. *Be it further enacted*, That the Commissioners of Registration appointed under this Act for any and all counties affected by this Act shall have power to purchase, at the expense of their respective counties, and shall purchase and furnish all such books, stationery, etc., to the Registrars in the different wards and districts affected by the provisions of this Act necessary to its proper execution in accordance with forms to be furnished by the State Comptroller, as hereinafter provided; and said Commissioners shall certify cost of the same to the County Judge or chairman, and he shall issue his warrant on the county treasury of his county to pay for said books, stationery, etc., and said Registrars shall be held accountable as custodians of said registration books, stationery, etc., except as hereinafter provided.

Commissioners  
to furnish  
books, sta-  
tionery, etc.

To be paid for  
by county.

SEC. 5. *Be it further enacted*, That each registration under this Act shall close at least twenty days before the date of the election for which said registration is had, and that upon the four Fridays and Saturdays next preceding twenty days before each such election, being the date of closing such registration, the Registrars shall be at their offices from 8 o'clock A. M. till 9 o'clock P. M., for the purpose of registering voters and furnishing to voters so registered certificates of such registration, and that no person shall be entitled to vote in any district, town or city or county affected by this Act, in any election to which this Act applies, who has not appeared in his own proper person before said Registrars, and been registered by them and furnished with a certificate of such registration within the hours and on the days as hereinbefore provided; and it shall be the duty of said Registrars for civil districts and wards respectively to open, on the days designated herein for registration, in some

Regulations as  
to registra-  
tion.

convenient place in each ward or civil district affected by this Act, an office for the registration of voters, giving at least ten days' notice of the time and place of such registration in some newspaper published in the county where such civil district, town or city is located, or by written or printed notices posted in three or more public places in the civil district or ward for which they are appointed Registrars.

Qualifications  
of voters.

SEC. 6. *Be it further enacted*, That in all cases where the applicant for registration is not personally known to the Registrars to be a legal voter in the civil district or ward in which he applies for registration, he shall, before being registered, answer and state his age, place of residence, stating district or ward, road or street, the number of his house, if numbered, and if not numbered, then a designation of its location, if not the owner, then the name of the owner or renter, where he resides or boards, the time of his residence in said State and district or city, whether married or single, his avocation, place of business, or where and by whom employed, the State, city or district, and postoffice; if a new comer, from whence he came, and if a foreigner, when and where naturalized; has he ever been disqualified as a voter by judgment or decree of any court; if so, when and by what court reinstated. The Registrars shall keep suitable books in which the statements or answers of such applicants for registration shall be entered by them, and the said statements or answers shall be, when so made and entered by the Registrars, sworn to by such applicant or applicants for registration, and for that purpose said Registrars, or either of them, are empowered by this Act to administer said oath, and any false swearing on the part of any applicant for registration, as to the statements or answers touching his qualification to vote as herein provided, is hereby declared to be perjury punishable as perjury in other cases under the laws of the State. The Registrars shall number the names of voters as registered, giving the color of each voter opposite his name on the registration book, and shall furnish to each voter so registered a certificate of his registration as a voter, which shall be numbered corresponding with his name on the registration book, and shall show on its face the name of the voter, his color, the ward or district in which he resides, and in what election he is entitled to vote under said certificate; and *provided further*, that wherever two ballot boxes are used under the laws of this State for national and State elec-

False swearing  
to be punish-  
able as per-  
jury.

Certificates of  
registration.

tions, the certificate of registration issued by the Registrars to the voter applicable to State and national elections shall, in addition to the matter already printed on said certificate, have these words: "Vote in national election," or "Vote in State election," with date of election, and when so issued or delivered to the voter he shall, on presentation of the same to the proper officer holding the election in the ward or district in which said voter resides and for which said registration was held, be entitled to vote in the election for which the certificate shows his qualification to vote, unless on challenge it be shown by proof to the satisfaction of the judges holding such election that the certificate was procured by fraud or perjury, or that the voter has removed from the ward or district in which he was registered, and no person shall be entitled to vote in such ward or district except on presentation of his certificate as a voter, as hereinbefore provided for, and whose certificate of registration shall be taken up and canceled, except in case of State and national elections, when two ballot boxes are required under the laws of this State in such elections. The judges of election shall draw a heavy black line with ink across the words on the certificate: "Vote in national election," or "Vote in State election," as the case may be, so as to cancel the certificate applicable to the ballot box where he casts his vote, and when said certificate is presented by the voter at the last or second ballot box the judges shall take it up and cancel it.

National and  
State elec-  
tions.

Cancellation of  
certificates.

SEC. 7. *Be it further enacted*, That the Registrars in each district and ward shall, immediately after the registration of voters for such ward or district is closed, keep the books of registration open for public inspection at the office of registration for the space of five days; and if any errors of a purely clerical nature are discovered during said time, the same shall be corrected by the Registrars. On the expiration of said five days the said Registrars shall make affidavit before any officer in their county authorized by law to administer oaths, on their book of registration, immediately following the close of the list of names of registered voters, to the correctness of their registration, and that they have, in all respects, in conducting such registration, complied with the provisions of this Act; and any false statement made in said affidavit is hereby declared to be perjury on the part of the parties making the same, and punishable as perjury in other cases; and said book or books of registration, when thus completed, shall be turned over by the Reg-

Books to be  
kept open for  
inspection.

Affidavit of  
Registrars.

False state-  
ment perjury

istrars to the Commissioners of Registration for their county for safe keeping, and said Commissioners shall thereafter be held responsible for the same as in case of other public records.

Compensation  
of Registrars

SEC. 8. *Be it further enacted*, That the Registrars herein provided for shall be compensated in the sum of one dollar and fifty cents per day each, for the eight days of registration hereinbefore designated, and shall have the same rate of compensation for one additional day for correcting errors as hereinbefore provided for, to be paid out of the county treasury on the warrant of the judge or chairman of the County Court when the account is certified by the Commissioners of Registration. In case of municipal elections, the costs shall be paid by the corporation or municipality for which said election is held.

Registration  
books to be  
marked at  
close of each  
day.

SEC. 9. *Be it further enacted*, That at the close of each day's registration the Registrars shall draw a heavy black line, in ink, immediately under the last name registered on that day, entirely across the page of the registration book, to indicate the completion of that day's registration.

Refusal to reg-  
ister qualified  
voter a mis-  
demeanor.

SEC. 10. *Be it further enacted*, That any Registrar of votes willfully refusing to register any qualified voter, shall be liable to indictment by grand jury for a misdemeanor in office, and, upon conviction, shall be sentenced to pay a fine of not less than ten dollars nor more than one hundred dollars, or imprisoned in the county jail or work-house for not less than ten nor more than thirty days, or both, at the discretion of the court.

Who entitled  
to registra-  
tion.

SEC. 11. *Be it further enacted*, That all persons qualified to vote under existing laws at the date of his application, or who may become qualified by reason of his arriving at the age of twenty-one years by the date of the election for which the registration is had, or who will be qualified by reason of having resided in the State for twelve months and county six months by the date of said election, shall be entitled to be registered as a voter under this Act.

Disagreement  
of Registrars

SEC. 12. *Be it further enacted*, That if the Registrars disagree as to the right of an applicant to be registered as a voter, they shall register his name and issue to him a certificate as in other cases, writing across the face of the certificate the words: "The Registrars disagree," and in such case the applicant may take such certificate to the Board of Commissioners of Registration, who shall determine the question of disagreement and endorse on the certificate the words, "Approved," or "Disapproved,"

as they may decide, and the holder of such certificate shall not be entitled to vote on such certificate unless the word "Approved" is endorsed on the same and signed by the majority of said Board of Commissioners.

SEC. 13. *Be it further enacted*, That in case of the temporary absence of a duly appointed Registrar on any of the days fixed for registration by this Act from sickness or other cause, he (and on his failure to do so the Commissioners of Registration) shall select a person from the political party to which he belonged to act for him and in his stead during such temporary absence, and should any duly appointed Registrar willfully refuse to act on any registration day, as herein provided for, the Registrar not refusing shall have power to supply his place by appointment of another Registrar to assist him, from the same political party to which the declining member belongs, which appointment shall continue until the Board of Commissioners supply the place by another regular appointment; *Provided*, that in each case an oath, the same as taken by regular Registrars, shall be administered to such temporary Registrars by any officer of his county authorized to administer an oath.

Refusal or inability to act—how remedied.

SEC. 14. *Be it further enacted*, That the said Registrars provided for in this Act, before entering upon the duties imposed upon them by this Act, shall take and subscribe to the following oath: "I do solemnly swear (or affirm) that I will faithfully and impartially keep the register of voters in my district (or ward); that I will not, knowingly, register, or allow to be registered, any person not a legally qualified voter, and that I will not knowingly prevent any person from registering who is a legally qualified voter, so help me God."

Oath of Registrars.

SEC. 15. *Be it further enacted*, That it is hereby declared a misdemeanor for any person to register or have his name registered as a qualified voter under this Act when he is not such a qualified voter, or to vote, or attempt to vote, on any certificate of registration issued under the provisions of this Act to some one other or otherwise than the person voting, or offering to vote, on the same, or to procure or induce any other person to register, or be registered as a voter not being legally qualified as such, or to induce or procure any other person to vote, or attempt to vote, on any certificate issued under the provisions of this Act to another or otherwise than to the person voting or offering to vote on the same, or to alter, change, forge or counterfeit, or procure the same to be done by another, the certificates of registra-

Illegal registration.

Penalty.

tion provided for in this Act, or to issue, circulate, or in any way use, or attempt to use, any fraudulent certificate of registration, the same not having been regularly issued by duly appointed and legally qualified Registrars, as provided for in this Act; and any person convicted of either of said offenses shall be fined not less than fifty dollars, or be confined in the county jail or workhouse not less than thirty days, or both, at the discretion of the court.

Comptroller to furnish books, forms, etc.

SEC. 16. *Be it further enacted*, That to secure uniformity in registering voters under this Act, the State Comptroller shall furnish to the Commissioners of Registration in the various counties where the same are required to be appointed under this Act, blank forms for all books and certificates of registration required under and by the provisions of this Act, and the same shall be paid for out of the State treasury as other claim sars paid.

Certified lists of voters to be furnished Commissioners.

SEC. 17. *Be it further enacted*, That said Registrars provided for in this Act shall furnish a certified copy of list of voters registered by them in their respective wards or districts, and for each voting precinct therein, said certified copy to be signed by both of said Registrars and delivered with the books of registration to the County Commissioners, who shall furnish said certified copy of list of voters to judges holding the elections under the provisions of this Act at each voting precinct in said ward or district, to be used by said judges on election day to determine who may be entitled to vote under the provisions of this law, and said Registrars shall be entitled to fifty cents each for said certified copy of list of voters.

Repeal of conflicting laws.

SEC. 18. *Be it further enacted*, That an Act passed April 2, and approved April 4, 1889, Chapter 207, to provide for the registration of voters in towns, cities and civil districts in the State of Tennessee having a voting population of 500 votes or more in the presidential election of 1888, or may hereafter have that number in any presidential election, be and the same is hereby repealed; that all laws or parts of laws in conflict with the provisions of this Act be, and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1880.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

BENJ. J. LEA,

*Speaker of the Senate.*

Approved March 13, 1890. ROBT. L. TAYLOR,

*Governor.*

## CHAPTER 26.

AN ACT to regulate the elective franchise in accordance with Article 4, Section 1, of the Constitution of the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That every person in this State who is otherwise a qualified voter under the Constitution and laws, shall, as a condition precedent to the exercise of voting, furnish to the judges of election satisfactory evidence that he has paid the poll tax, if any, assessed against him for the year next preceding the election, without which his vote shall not be received; *Provided*, if any voter has been wrongfully assessed for such poll tax, this Act shall not apply to him.

Payment of  
poll tax re-  
quired before  
voting.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 11, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

BENJ. J. LEA,

*Speaker of the Senate.*

Approved March 14, 1890.

ROBT. L. TAYLOR,

*Governor.*

## CHAPTER 27.

AN ACT to amend an Act entitled, "An Act to provide more just and equitable laws for the assessment and collection of revenue for State, county and municipal purposes, and to repeal all laws now in force whereby revenue is collected from the assessment of real estate, personal property, privileges and polls," being Chapter 96 of the Acts of 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 96 of the Acts of 1889, at the regular session, be and the same is hereby amended by adding the following to Section 48 of said Act: But no assessment authorized by this section, or by Section 26 of this Act, shall be made for any other years than for the years in which said assessments shall be made and for three years preceding the same; *Provided*, that back assessments made before the expiration of the year 1890 may extend to and include the year

Act of 1889  
amended.

1886; but nothing in this Act shall affect assessments which may have been heretofore made according to law.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 14, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 28.

AN ACT extending the corporate limits of the City of Nashville.

Extension of  
corporate  
limits and  
boundaries of  
same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the area and corporate limits of the Mayor and City Council of Nashville, a municipality organized under an Act of the General Assembly of Tennessee, passed March 21, 1883, Chapter 114, be extended so as to embrace and include the following property lying contiguous thereto: Beginning at a point on the Granny White pike where said pike intersects with the present corporation line; running thence west along said corporation line 200 feet; thence south along and including said pike, together with a strip of land 200 feet wide the entire distance to the intersection of an avenue known as Thruston avenue, to Jowett or Pomeroy avenue; thence along and including said Jowett or Pomeroy avenue to Prospect avenue; thence east along and including said Prospect avenue to Kirkman avenue; thence easterly and including said Kirkman avenue to an alley in rear of and running in a southerly direction (lots 56 and 47 in plan of Waverly Place); thence east along the boundary line between the Bruce Douglas place and the Waverly lots, 49 and 52, to the Franklin turnpike; thence south along and crossing said pike to an avenue known as Jefferson street in plan of Waverly; thence east along and including said Jefferson street to the western margin of the Nashville & Decatur Railroad; thence north along said Nashville & Decatur Railroad, to an alley on the boundary line



between the Alloway property and the Waverly Plan; thence west along said alley to Chestnut or Trabue avenue; thence north along and including said Trabue avenue to Horton avenue; thence west along and including Horton avenue to Fall avenue; thence north along and including said Fall avenue or street to Chestnut street; thence along and including said Chestnut or Bell street easterly to the present corporation line.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 14, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 29.

AN ACT to amend an Act entitled "An Act to provide more just and equitable laws for the assessment and collection of revenue for State, county and municipal purposes, and to repeal all laws now in force whereby revenue is collected from the assessment of real estate, personal property, privileges and polls," passed April 6, 1889.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 13 of Chapter 96 of the Acts of this General Assembly, approved April 8, 1889, be amended so as to strike out all the words in said section between the word "provided," in the twenty-second line of said section, and the word "but," in the twenty-fourth line of said section, and inserting, in the place of the words so stricken out, the following words: That the shares of stock issued by any corporation created or organized under the laws of Tennessee, whether said corporation be engaged in mining or the manufacturing of goods, wares, merchandise or other articles of value, or engaged in any other business, shall not be assessed for taxation to such corporation, nor shall said shares of stock be assessed for taxation in the hands of or against the owners and possessors of said stock, and no assessor shall be paid any compensation for wrong-

Acts of 1889  
amended.

fully assessing shares of stock prohibited from assessment by Sections 13 and 14 of said Chapter 96.

SEC. 2. *Be it further enacted*, That Sections 7, 14, 29, 31, 33 and all other sections of said Act shall be amended and construed in conformity with this amendment.

SEC. 3. *Be it further enacted*, That Sections 62, 63, 64 and 65 of Chapter 96, Acts of 1889, be amended by adding, at the end of Section 63, as follows: *Provided*, that when and after the constables or special deputies shall have made due return on the first Monday in June, as provided in said Section 63, the delinquent poll lists shall not be delivered by the Trustee for collection to an attorney or Back Tax Collector, but said delinquent poll tax shall remain in the hands of the Trustee for collection by him or his deputies or Constables, as provided in Section 62; but if the delinquent poll tax be not paid on or before the first Monday in September after the returns as aforesaid by Constable or deputies, the Trustee shall then, by himself, special deputies or Constables, proceed to collect said delinquent poll tax as remains unpaid, as provided in Section 62.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

BENJ. J. LÉA,

*Speaker of the Senate.*

[ Approved March 14, 1890.

ROBT. L. TAYLOR,

*Governor.*

## CHAPTER 30.

AN ACT to amend Chapter 96 of the Acts of 1889, being an Act entitled "An Act to provide more just and equitable laws for the assessment and collection of revenue for State, county and municipal purposes, and to repeal all laws now in force whereby revenue is collected from the assessment of real estate, personal property, privileges and polls," passed April 6, 1889, and approved April 8, 1889.

Assessors and  
their compensation.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 39 of Chapter 96 of the Acts of 1889, being "An Act to provide for more just and equitable laws for the assessment and collection of revenue," passed April 6, 1889, and approved April

8, 1889, be so amended as to read as follows : That the assessors elected at the August election, 1888, and the assessors to be hereafter elected under the Acts of 1889, Chapter 96, Section 28, shall be paid by the county, and shall receive as compensation upon the value of the property in his county a per cent., as follows : In cities of 40,000 inhabitants or over, one-tenth of one mill ; in cities or towns of from 5,000 to 40,000 inhabitants, one-eighth of one mill, and in towns of less than 5,000 inhabitants and all country districts, one-fifth of one mill on the value of the property determined on by the Board of Equalization heretofore provided. That in all counties of less than 23,000 and more than 12,000 population they shall receive one-fourth of one mill, and in all counties of less than 12,000 population, two-fifths of one mill ; and each assessor shall receive five cents for each poll properly assessed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.  
Passed March 14, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 14, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 31.

AN ACT to amend an Act entitled "An Act to establish taxing districts of the second-class, and to provide the means of local government therefor," passed April 1, 1881, and approved April 6, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act entitled an Act to establish taxing districts of the second class, and to provide the means of local government therefor, passed April 1, 1881, being Chapter 127 of the Acts of 1881, be and the same is hereby so amended as to authorize the Commissioners of the taxing districts of the second-class to provide for the purpose of supplying water to such taxing districts for fire and domestic purposes by the erection of water-works and laying of water pipes and mains in the streets of said taxing districts, and for that purpose the Board of Commissioners for said tax-  
Act of 1881  
amended.  
  
Water-works.

Commissioners  
may issue  
bonds and  
levy taxes.

ing districts of the second-class are authorized to contract an indebtedness against said taxing districts and levy a tax against said taxing districts to an amount not exceeding ten thousand dollars (\$10,000), and to issue interest bearing bonds for the same, made payable on such times as said Commissioners may see proper to make the same, so that said bonds do not run longer than thirty years, bearing six per cent. interest, with coupons attached; and said Commissioners shall, for the purpose of paying the interest on said bonds, and for the purpose of creating a sinking fund to liquidate said bonds, have the power to levy and collect a special tax on property and privileges subject to taxation in said taxing districts each year not to exceed fifty cents on each one hundred dollars of taxable property in said taxing district, and not to exceed on privileges the privilege tax levied for general purposes for taxing district, and to levy on each consumer of water a privilege tax to be fixed by the said Commissioners.

Tax not to be  
levied until  
submitted to  
qualified vot-  
ers.

SEC. 2. *Be it further enacted*, That before the levy of said tax against said taxing districts of the second class shall be levied as provided for in Section 1 of this Act, said Commissioners shall submit the question of levying a tax against said taxing district to the qualified voters of said taxing district, either at a general or special election to be held for that purpose, which election may be ordered by the Board of Commissioners so that twenty days' notice by printed posters of the time is given prior to such election; that the voters favoring the levying a tax and issuance of said bonds as set out in Section 1 shall have printed on their tickets "Water-works," and those opposing the same shall have printed on their tickets the words "No water-works," and it shall require three-fourths of the votes cast at such election to carry said election and to authorize the said Board of Commissioners of taxing districts of the second class to so levy a tax against said taxing districts or issue bonds as provided in said Section 1 of this Act.

Application of  
taxes.

SEC. 3. *Be it further enacted*, That the entire amount of taxes on property, privileges, etc., levied under provisions of this Act, shall be used in paying the interest on any bonds issued, and in creating a sinking fund to liquidate such bonds when due.

SEC. 4. *Be it further enacted*, That all parts of said Act of 1881 in conflict with this Act be and the same are hereby repealed.

SEC. 5. *Be it further enacted*, That this Act take ef-

fect from and after its passage, the public welfare requiring it.

Passed March 14, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 14, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## CHAPTER 32.

AN ACT to amend the charter of the City of Chattanooga, and all Acts amendatory thereof, so as to allow it to subscribe for stock in the Chattanooga, Rome & Columbus Railroad, and to issue bonds in payment of said subscription.

WHEREAS, The Mayor and Aldermen of the city of Chattanooga subscribed for \$100,000 of the stock of the Chattanooga, Rome & Columbus Railroad, which subscription was ratified and approved by a majority of more than three-fourths of the votes cast at an election held for that purpose, but said subscription failed for want of legal authority in the charter of said city and under the general laws of the State for it to make said subscription; now, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That said charter and all Acts amendatory thereof be and the same are hereby amended so as to authorize the Mayor and Aldermen of the city of Chattanooga to subscribe \$100,000 of the stock of the Chattanooga, Rome & Columbus Railroad, a corporation organized under the laws of the State of Georgia, operating a line of railroad running to and terminating in the city of Chattanooga, Tennessee; *Provided,* that before said subscription is completed the question of making or ratifying the same shall be submitted to a vote of the qualified voters of the city of Chattanooga, at a special election to be held for that purpose, and if at said election a majority of three-fourths of the votes cast shall be in favor of making said subscription then the same shall be made, but if less than three-fourths of the votes cast are not in favor of said subscription, then the same shall not be made.

SEC. 2. *Be it further enacted,* That the Board of Mayor

Regulations as  
to election.

and Aldermen of said city of Chattanooga are authorized to cause such an election to be held, appointing for that purpose all necessary judges and clerks and officers of election, and giving thirty days' notice of the election in some newspaper published in the city of Chattanooga, Tennessee. At said election all persons favoring said subscription shall have written or printed on their ballots "For Subscription," those opposed, "Against Subscription;" and at said election all persons who are qualified to vote for Mayor and Aldermen in said city shall be entitled to vote.

Privilege to is-  
sue \$100,000  
in bonds.

SEC. 3. *Be it further enacted*, That the Board of Mayor and Aldermen, if said subscription is ratified by a majority of more than three-fourths of the votes cast at said election, are authorized to complete said subscription and receive said stock and pay for the same by issuing \$100,000 of the bonds of said city, which bonds shall not bear a greater rate of interest than five per cent. per annum, payable semi-annually, and shall not run for longer than thirty years from the date of their issuance; *Provided*, that before said bonds are issued in payment of said subscription, said railroad company shall have expended within the corporate limits of said city of Chattanooga in the erection of shops and other terminal facilities, exclusive of the cost of the land on which the same are located, at least one hundred thousand dollars.

Conditions.

Former Acts  
amended.

SEC. 4. *Be it further enacted*, That the charter of the city of Chattanooga, and all Acts amendatory thereof, and all parts of acts amendatory thereof, and all parts of said charter and amendatory Acts relating to making such subscription, and issuing bonds, are hereby amended so as to conform to the provisions of this Act, and all parts of the same and all other laws in conflict with the provisions of this Act are hereby repealed.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

BENJ. J. LEA.

*Speaker of the Senate.*

Approved March 14, 1890.

ROBT. L. TAYLOR,

*Governor.*

## CHAPTER 33.

AN ACT to annex certain territory to the city of Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the area and corporate limits of the Mayor and City Council, a municipality organized under an Act of the General Assembly passed March 21, 1883, Chapter 114, be extended so as to embrace and include the following territory lying contiguous thereto, and now a part of the Thirteenth civil district of Davidson county, Tennessee, to wit: Beginning at the corporation line on Cedar street at Douglas avenue; thence west with the southern margin of Cedar street to a point 1,500 feet from said point of beginning; thence north through intervening property to a point 150 feet west of where Line street turns into Clifton pike; thence north in a line 150 feet west of an unnamed street and parallel with said street to an alley north and parallel with Line street; thence east and including said alley to the alley west of A. J. Warner's property; thence north and including said alley to a point opposite the extension of the northern margin of Clifton street; thence east through intervening property to Walnut street; thence north with and including Walnut street to the southern margin of the N., C. & St. L. R. R.; thence east with the southern margin of said road to an alley west of the Union Stock Yard; thence south and including said alley to the southwest corner of the present building of said stock yard; thence east with the line of said stock yard building to the western margin of Robertson street; thence north with the west margin of Robertson street to the southern margin of Sevier street; thence east with said southern margin to the east margin of Park street; thence south with and including Park street to the north margin of Clinton street; thence east with the north margin of Clinton street to and across Cumberland street; thence through intervening property up a straight line to Crawford street at its intersection with Belleville street; thence north with and including Belleville street to Sevier street; thence west with and including Sevier street to Cumberland street; thence north with and including Cumberland street to Gleaves street; thence west with and including Gleaves street to the west margin of Clay street; thence north to the sewer running through the property of the Phillips-Buttorff Company; thence west with and including said sewer (excluding the main building of said company) and in a straight

Limits extended.

Boundaries.

**Boundaries.**

line projected to Watkins street; thence west with and including the unnamed branch running into said sewer through the intervening property to Robertson street; thence south with and including Robertson street to the first street south of Hamilton street; thence west with the southern margin of said street, and in a straight line projected to Walnut street; thence south with and including Walnut street to Batavia street; thence west with and including Batavia street, and in a straight line projected 150 feet west of Tweed street; thence north in a straight line parallel to Tweed street, and through intervening property at a distance of 150 feet west of said Tweed street to the alley between Heiman and Royal streets; thence east with said alley to Estrella street; thence north with and including Estrella street to a point 160 feet north of Hyde's Ferry turnpike; thence east in a line parallel to said pike and 160 feet north of said pike to the Buena Vista pike; thence north with and including said Buena Vista pike to Cass street; thence east with and including Cass street to Bremen street; thence south with and including Bremen street to the south line of Clay street; thence east with said line to the western line of the alley between McGavock and Vine street; thence south with said western line to the northern line of Hume street; thence west with said line to McGavock street; thence south with and including McGavock street to Taylor street; thence east with and including Taylor street to High street; thence north with and including High street to the north line of Hume street; thence with the north line of said street west to the eastern margin of the east line of the alley between McGavock and Vine streets; thence north with the east line of said alley to the south line of Clay street; thence east with said south line to a point 150 feet east of College street; thence southwardly with said line parallel with College street, and 150 feet east thereof to the northern boundary line of the McGavock Park property; thence east with the northern line of said property to the eastern line; thence south with the eastern line of said property to the southern boundary line of W. G. Bush's property; thence east with said line to the eastern boundary line of the McGavock Park property, just south of Adams street; thence with said line to Adams street; thence with and including Adams street south to the present corporation line; beginning at the corporation line at the intersection of Boyd avenue and West End avenue running westwardly; thence west-



wardly with the center of West End avenue to a point opposite the center of Campus street; thence southwardly with the center of Campus street to the corporation line of Broad street extension or Hillsboro pike; thence following the corporation line east and north to the beginning at Boyd and West End avenue.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 14, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 15, 1890.

## CHAPTER 34.

AN ACT to defray the expenses of the Extra Session of Forty-sixth General Assembly.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That to defray the current expenses of the extra session of the Forty-sixth General Assembly the following appropriations are made for the following purposes, and none other, which are to be paid out of the Treasury on the warrant of the Comptroller.

SEC. 2. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant on the State Treasurer in favor of each member, officer and employe of the Senate for the amount stated to be due each in the following schedule, viz.:

MEMBERS OF THE SENATE.	NO. OF MILES.	MILEAGE.	NO OF DAYS.	PER DIEM.	TOTAL.
Alcorn, R. S.....	140	\$ 22 40	20	\$ 80 00	\$102 40
Apple, J. C.....	125	20 00	20	80 00	100 00
Barnhill, J. T.....	444	71 04	20	80 00	151 04

MEMBERS OF THE SENATE <i>Continued.</i>	NO. OF MILES.	MILEAGE.	NO. OF DAYS.	PER DIEM.	TOTAL.
Berry, C. R.....	40	\$ 6 40	20	86 00	\$ 92 40
Burns, M.....	.....	.....	20	80 00	80 00
Carter, P. W.....	100	16 00	20	80 00	96 00
Cobbs, L. T. ....	59	9 28	18	72 00	81 28
Craighead, T. D.....	.....	.....	20	80 00	80 00
Crews, J. M. ....	464	74 24	20	80 00	154 24
Cypert, J. T.....	290	46 40	20	80 00	126 40
Dortch, J. H.....	572	91 52	20	80 00	171 52
Fouts, M. T.....	392	62 72	20	80 00	142 72
Hall, B. F.....	296	47 36	20	80 00	127 36
Hodges, W. B.....	678	108 40	20	80 00	188 40
Jarvis, H. C.....	680	108 80	20	80 00	188 80
Jones, J. L.....	374	59 84	20	80 00	139 84
Lamb, W. B.....	244	39 04	20	80 00	119 04
Long, T. C.....	344	55 04	20	80 00	135 04
McCorkle, J. E.....	372	59 52	20	80 00	139 52
McDowell, W. W...	464	74 24	20	80 00	154 24
Moody, C. J. ...	126	16 75	20	80 00	96 75
Myers, J. C.....	410	65 60	20	80 00	145 60
Mynatt, E. F.....	526	84 16	20	80 00	164 16
Nelson, D. R.....	526	84 16	20	80 00	164 16
Penland, J. R.....	580	92 80	20	80 00	172 80
Plummer, F. A.....	190	30 40	20	80 00	110 40
Pyott, S. C.....	302	48 32	20	80 00	128 32
Sensing, J. D.....	180	28 80	20	80 00	108 80
Sparks, J. W.....	64	10 24	20	80 00	90 24
Stout, J. W.....	210	33 60	20	80 00	113 60
West, J. A.....	730	116 80	20	80 00	196 80
Williamson, S. B.....	374	60 04	20	80 00	140 04

## OFFICERS.

Lea, B. J., Speaker..	368	58 88	20	120 00	178 88
Harris, J. A., C. C..	.....	.....	20	120 00	120 00
Ewing, C., A. C.....	.....	.....	20	120 00	120 00
Taylor, Mrs. B., E.C.	.....	.....	20	120 00	120 00
Hickman, J. P., S'gt.	.....	.....	20	80 00	80 00
Coe, H. L., Page.....	.....	.....	20	80 00	80 00
Oldham J. C., 1st P..	.....	.....	20	80 00	80 00
Keeble, F., 2d Porter	.....	.....	20	80 00	80 00

SEC. 3. *Be it further enacted*, That the Comptroller issue his warrant to each member of the House, and the officers and employes of the same, for the amounts stated to be due them in the following schedule:

NAMES OF REPRESENTATIVES.	NO. OF MILES.	MILEAGE.	NO. OF DAYS.	PER DIEN.	TOTAL.
Adams, J. C.....	404	\$ 64 64	20	\$ 80 00	\$144 64
Adams, C. C.....	280	44 80	20	80 00	124 80
Andes, J. W.....	600	96 00	20	80 00	176 00
Avery, Sid.....	358	57 28	20	80 00	137 28
Bagwell, A.....	225	36 00	20	80 00	116 00
Beal, J. H.....	672	107 52	20	80 00	187 52
Bennett, F. J.....	310	49 60	20	80 00	129 60
Bockman, J. C.....	130	20 80	20	80 00	100 80
Bonham, M. L.....	140	22 40	20	80 00	102 40
Buchanan, J. P.....	86	13 76	20	80 00	93 76
Burton, S. D.....	452	72 32	20	80 00	152 32
Callicut, F. P.....	330	52 80	20	80 00	132 80
Carson, T. B.....	440	70 40	20	80 00	150 40
Caruthers, W. A....	392	62 72	20	80 00	142 72
Cecil, Beaty.....	536	85 76	20	80 00	165 76
Cochran, J. L.....	416	66 56	20	80 00	146 56
Collins, C. C.....	770	123 20	20	80 00	203 20
Comer, Sam.....	452	72 32	20	80 00	152 32
Connoway, M. H....	248	39 68	20	80 00	119 68
Corban, B. J.....	148	23 68	20	80 00	103 68
Craig, A. D.....	246	39 36	20	80 00	119 36
Cummins, J. H.....	104	16 64	20	80 00	96 64
Davis, Ralph.....	464	74 24	20	80 00	154 24
DeArmond, R. T....	526	84 16	20	80 00	164 16
Dismukes, W. C.....	52	8 32	20	80 00	88 32
Eaton, R. P.....	486	77 76	20	80 00	157 76
Fort, Joel B.....	90	14 40	20	80 00	94 40
Freeman, T. H.....	40	6 40	20	80 00	86 40
Friar, H. H.....	678	108 48	20	80 00	188 48
Gault, S. H.....	696	111 36	20	80 00	191 36
Gill, H. B.....	178	28 48	20	80 00	108 48
Godwin, D. G.....	464	74 24	20	80 00	154 24
Gooch, J. S.....	40	6 40	20	80 00	86 40
Goodpasture, A. V..	120	19 20	20	80 00	99 20
Hale, John C.....	576	92 16	20	80 00	172 16

NAMES OF REPRESENTATIVES <i>Continued.</i>	NO. OF MILES.	MILEAGE.	NO. OF DAYS.	PER DIEM.	TOTAL.
Hale, W. B.....	90	14 40	20	\$80 00	\$ 94 40
Hargis, Jas.....	350	56 00	20	80 00	136 00
Harris, Joe.....	526	84 16	20	80 00	164 16
Hart, H. C.....	760	121 60	20	80 00	201 60
Harwell, T. B.....	168	26 88	20	80 00	106 88
Head, Jno. R.....	368	58 88	20	80 00	138 88
Hill, L. D.....	280	44 80	20	80 00	124 80
Hinkle, H. R.....	396	63 36	20	80 00	143 36
Hutchinson, J. H....	.....	.....	20	80 00	80 00
Jacobs, Lee.....	166	26 56	20	80 00	106 56
Johnson, Tim.....	.....	.....	20	80 00	80 00
Johnston, T. W.....	274	43 84	20	80 00	123 84
Joiner, C. M.....	164	26 24	20	80 00	106 24
Jones, G. W.....	396	63 36	20	80 00	143 36
Jones, J. B.....	444	71 04	20	80 00	151 04
Jones, J. E... ..	270	43 20	20	80 00	123 20
Jones, S. G.....	164	26 24	20	80 00	106 24
Leech, Hardin.....	100	16 00	20	80 00	96 00
Lewis, J. W.....	280	44 80	20	80 00	124 80
Longacre, J. S.....	280	44 80	20	80 00	124 80
Crowder, J. M.....	500	80 00	20	80 00	160 00
McCall, G. T.....	210	33 60	20	80 00	113 60
McDonald, E. M.....	100	16 00	20	80 00	96 00
McNabb, A.....	332	53 12	20	80 00	133 12
McRee, F. M.....	320	51 20	20	80 00	131 20
Mace, B. M.....	60	9 60	20	80 00	89 60
Marshall, Park.....	40	6 40	20	80 00	86 40
Mitchell, John.....	614	98 24	20	80 00	178 24
Moore, Wm.. .....	670	107 20	20	80 00	187 20
Moore, J. L.....	576	92 16	20	80 00	172 16
Moore, J. C.....	540	86 40	20	80 00	166 40
Moreland, M. L.....	820	131 20	20	80 00	211 20
Morris, T. O.....	.....	.....	20	80 00	80 00
Myers, T. R.....	126	20 16	20	80 00	100 16
Odlum, R. A.....	464	74 24	20	80 00	154 24
Palmer, H. E.....	64	10 24	19	76 00	86 24
Parkes, Jas. G.....	442	70 72	20	80 00	150 72
Patterson, A. J.....	772	123 52	20	80 00	203 52

NAMES OF REPRESENTATIVES. <i>Continued.</i>	NO. OF MILES.	MILEAGE.	NO. OF DAYS.	PER DIEM.	TOTAL.
Pearson, J. D.....	348	55 68	20	80 00	135 68
Polk, R. K.....	.....	.....	20	80 00	80 00
Renkert, A.....	464	74 24	20	80 00	154 24
Richardson, J. W....	178	28 48	20	80 00	108 48
Rosier, D. H.....	650	104 00	20	80 00	184 00
Savage, J. H.....	208	33 28	20	80 00	113 28
Senter, W. M.....	354	56 64	20	80 00	136 64
Shaw, C. C... ..	388	62 18	20	80 00	142 18
Shelton, W. T.....	572	91 52	20	80 00	171 52
Shepherd, Louis.....	302	48 32	20	80 00	128 32
Smith, A. E.....	244	39 04	20	80 00	119 04
Stainback, C. A.....	600	96 00	20	80 00	176 00
Stevens, C. H.....	530	84 80	20	80 00	164 80
Stephens, W. B.....	466	74 56	20	80 00	154 56
Strayhorn, W. J.....	94	15 04	20	80 00	95 04
Taylor, M. D.....	706	112 96	20	80 00	192 96
Thompson, E. G.....	150	24 00	20	80 00	104 00
Thompson, R. H.....	414	66 24	20	80 00	146 24
Tollett, E. G., Jr....	440	70 40	20	80 00	150 40
Whitthorne, W. J... ..	94	15 04	20	80 00	95 04
Wilkes, N. R.....	92	14 72	20	80 00	94 72
Williams, J. J.....	170	27 20	20	80 00	107 20
Woodall, E. M.....	.....	.....	20	80 00	80 00
Yancey, R. P.....	155	24 80	20	80 00	104 80
Young, Samuel.....	428	68 48	20	80 00	148 48

## OFFICERS.

Clapp, W. L., Spe'kr	464	74 24	20	120 00	194 24
Wade, E. B., C. Cl'k	.....	.....	20	120 00	.....
Crockett, C. W., A. C	.....	.....	20	120 00	.....
Doyle, H. P., J. C...	.....	.....	20	120 00	.....
Dance, Miss A., E. C.	.....	.....	20	120 00	.....
Harkreader, M., Sg't	.....	.....	22	88 00	.....
Berger, J. M., As't S	.....	.....	22	88 00	.....

*Porters.*

George Allen.....	.....	.....	...	4 00	.....
Scott Morris.....	.....	.....	25	100 00	.....
Sylvester Martin.....	.....	.....	27	108 00	.....
Bob Wyatt.....	.....	.....	20	80 00	.....
G. H. Wynn.....	.....	.....	16	64 00	.....

H. C. Musgrove SEC. 4. *Be it further enacted*, That the Comptroller draw his warrant on the Treasurer in favor of H. C. Musgrove for five dollars (\$5.00), for repairing lock in the office of the Engrossing Clerk of the House of Representatives.

Johnson & Murdock. SEC. 5. *Be it further enacted*, That the Comptroller issue his warrant in favor of Johnson & Murdock, in payment for spittoons, brooms, dusters, etc., for the use of the House of Representatives, for the sum of thirty-three dollars and forty cents (\$33.40).

John and E. A. Kirwin. SEC. 6. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer in favor of John and E. A. Kirwin for ninety-two dollars (\$92.00) each, for services as porters of the water-closets of the Capitol from February 20, to March 15, 1890.

Secretary of State. SEC. 7. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer in favor of the Secretary of State for the sum of one hundred (\$100.00) dollars in full of his remuneration for copying Acts of this session for the newspapers, and indexing the same.

Scott Morriss. SEC. 8. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer in favor of Scott Morriss for the sum of one dollar and fifty cents (\$1.50), for washing towels.

House clerks to file papers, copy and index Journal. SEC. 9. *Be it further enacted*, That the Principal Clerk of the House be directed to remain a sufficient time after the adjournment of this extra session to file properly the papers of the House of Representatives with the Secretary of State, to re-copy the Journals of the House for the Public Printer, to read the proof, superintend printing the Journals, and to make index to the printed Journals of the House, for which the sum of three hundred and fifty (\$350.00) dollars is hereby appropriated, and the Comptroller is hereby directed to issue his warrant on the Treasurer for said sum in favor of said Clerk; and that the Assistant Clerk shall remain and assist the Principal Clerk in re-copying the Journal, and for such service he shall be allowed the sum of one hundred and fifty (\$150.00) dollars, which is hereby appropriated, and the Comptroller shall issue his warrant on the Treasurer for said amount.

John P. Hickman. SEC. 10. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant on the Treasurer in favor of John P. Hickman, Sergeant-at-Arms, for the sum of eight (\$8.90) dollars and ninety cents for articles purchased for the use of the Senate in accordance with Senate Resolution No. 1.

SEC. 11. *Be it further enacted*, That the Comptroller Same. of the Treasury issue his warrant upon the Treasurer in favor of John P. Hickman, Sergeant-at-Arms, for the sum of sixteen (\$16.05) dollars and five cents, for expenses incurred in serving notice on Hon. W. W. Wade, in accordance with Senate Joint Resolution No. 2.

SEC. 12. *Be it further enacted*, That the Principal Clerk of the Senate be directed to remain a sufficient time after the adjournment of this extra session to file properly the papers of the Senate with the Secretary of State, to re-copy the Journal of the Senate for the Public Printer, to read proof, superintend printing of Journals, and to make index to the printed Journals of the Senate, for which the sum of three hundred and fifty dollars is hereby appropriated, and for such service the Comptroller is hereby directed to issue his warrant on the Treasurer for said sum in favor of said Clerk when he shall have performed his duties and closed his labors; and that the Assistant Clerk shall remain and assist the Principal Clerk in re-copying the Journals, and for such service he shall be allowed the sum of one hundred and fifty (\$150.00) dollars, which is hereby appropriated, and the Comptroller is hereby directed to issue his warrant on the Treasurer for the amount in favor of said Clerk when he shall have performed his duties and closed his labors.

Senate clerks  
to file papers,  
copy and in-  
dex Journal.

SEC. 13. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer in favor of the following parties for the amounts stated to be due them: Mrs. Bettie Taylor, Engrossing Clerk, for services rendered during the regular session of 1889, \$50.00; John P. Hickman for putting away furniture (2 days), \$8.00.

Mrs. Taylor  
and John P.  
Hickman.

SEC. 14. *Be it further enacted*, That the Comptroller draw his warrant on the Treasurer in favor of the parties named in this section for the amounts due them, being expenses incurred under the Joint Resolution authorizing the investigation of charges against Judge W. W. Wade:

Expenses of  
Wade inves-  
tigation.

J. D. Campbell, stenographer, two days at	
\$10.00 per day.....	\$ 20 00
For copying 13,000 words of testimony, at	
10 cents per hundred words.....	13 00

To the following witnesses summoned by the Speaker of the House:

J. S. Morten, two days and 120 miles, in all	\$ 6 30
T. J. Fisher, two days and 300 miles, in all	15 00
B. F. C. Smith, two days and 100 miles, in all	7 40

R. A. Cox, two days and 400 miles, in all...	19 00
O. C. Omahundra one day.....	1 00
J. S. McMurrey, one day and 84 miles.....	4 86
Chas. Crockett, one day, clerk to committee	4 00

Public Printer. SEC. 15. *Be it further enacted*, That the Comptroller is directed to draw his warrant on the Treasurer in favor of A. B. Tavel, Public Printer, for the sum of one hundred dollars, or so much thereof as may be necessary, for stationery furnished and to be furnished members and officers during the extra session.

Same. SEC. 16. *Be it further enacted*, That the Comptroller draw his warrant on the Treasurer in favor of A. B. Tavel, Public Printer, for the sum of two thousand dollars, or so much thereof as may be necessary to pay for printing and binding the Acts, Journals and Appendices of the extra session, and for printing Governor's message.

John Allison. SEC. 17. *Be it further enacted*, That the Comptroller draw his warrant on the Treasurer in favor of John Allison, former Secretary of State, for the sum of \$1,246.32, being the amount of a judgment obtained by John Allison vs. W. J. Allen, Comptroller, in the Circuit Court of Davidson county. Said amount was for services rendered the State by said Allison during his term of office as Secretary of State, and for which he has received no compensation.

Senate porters. SEC. 18. *Be it further enacted*, That the Comptroller draw his warrant on the Treasurer in favor of the parties named below for services rendered :  
 Ike Oldham, Senate porter, four days' extra services before the meeting of the Senate... \$ 12 00  
 Fort Keeble, Senate porter, four days' extra services before the meeting of the Senate.. 12 00

Rev. C. D. Elliott. SEC. 19. *Be it further enacted*, That in pursuance of House Resolution, the sum of \$75.00 is hereby appropriated to pay the Rev. C. D. Elliott, Chaplain of the House, for services rendered during this extraordinary session, and that the Comptroller draw his warrant on the Treasurer of the State in favor of said Elliott for said sum.

The National Guard. SEC. 20. *Be it further enacted*, That the Comptroller draw his warrant on the Treasurer for the sum of two thousand (\$2,000) dollars, in favor of the Adjutant General of the State, to be expended and used in organizing and sustaining the National Guard of Tennessee, as follows :



For printing code, blanks, books and stationery for office, freight and expense.....	\$ 1,000 00
For State Armory.....	100 00
Inspection purposes and training.....	500 00
For office stationery, Brigade.....	75 00
For office stationery, Regimental.....	200 00
Target practice. ....	125 00

Passed March 14, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

BENJ. J. LEA,

*Speaker of the Senate.*

Approved March 15, 1890.

ROBT. L. TAYLOR,

*Governor.*



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# RESOLUTIONS.

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# RESOLUTIONS.

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## SENATE JOINT RESOLUTIONS.

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### NUMBER 1.

*Be it resolved by the General Assembly of the State of Tennessee,* That we tender to Hon. B. F. Tracy, Secretary of the Navy, our sincere sympathy in the recent terrible calamity by which he lost his wife and daughter.

*Resolved second,* That this expression of our condolence be forwarded to Secretary Tracy by the Secretary of State.

Adopted February 28, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 6, 1890.

ROBT. L. TAYLOR,  
*Governor.*

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### NUMBER 2.

*Be it resolved by the General Assembly of the State of Tennessee,* That the suit and all matters pertaining, now pending by the State of Tennessee against the East Tennessee, Virginia & Georgia railroad, be and the same are hereby referred to the Comptroller of the Treasury, who will settle and adjust said suit as the rights and equities in the premises may suggest or demand, and that such

settlement be made by and with the advice and subject to the approval of the Attorney-General of the State, and that the settlement made in accordance with this resolution be final in the premises.

Adopted March 8, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 13, 1890.

ROBT. L. TAYLOR,  
*Governor.*

### NUMBER 3.

Joint Resolution of the Senate and House of Representatives.

The General Assembly of the State of Tennessee learns with much gratification, that in response to suggestions from distinguished scientific men and associations, an appropriation will be asked from Congress to erect a monument in Washington City in honor of the late Lieutenant M. F. Maury, who, for many years, was so honorably connected with the United States Navy. Though he was a citizen of Tennessee, his name and fame are the property of the entire country. There is no need to refer, even briefly, to the discoveries in nautical science, physical geography, winds and currents of the seas, all brought about by the genius and industry of this eminent hydrographer and meteorologist, discoveries which have relieved navigation of many of its dangers to life and rendered more secure the transportation of property over the ocean. His valuable services in the cause of science, while conferring honor and benefits upon his native country, were recognized and appreciated by all civilized nations on the globe, and during his life he received from foreign governments honors and testimonials seldom accorded to a private citizen. The heritage of a nation are the lives of its great men, and it is eminently proper that the United States, under whose fostering

care this distinguished scientist so long, so faithfully and so successfully labored, should mark respect for his services by the erection of a suitable monument. Full sympathizing with this patriotic feeling, therefore, be

*Resolved by the Senate and House of Representatives,*  
That the Senators and Representatives in Congress from Tennessee be requested to favor, both by their votes and influence, the erection of a monument in honor of the late Lieutenant M. F. Maury, as indicated in this preamble and resolution.

Adopted March 10, 1890.

W: L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 13, 1890.

ROBT. L. TAYLOR,  
*Governor.*

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#### NUMBER 4.

Providing for a joint session of the Senate and House of Representatives to hear argument upon the resolution to remove W. W. Wade, Chancellor of Fifth Chancery Division.

*Be it resolved by the General Assembly of the State of Tennessee,* That the Senate and House of Representatives meet in joint conference or session in the House of Representatives, March 12, at 11 o'clock A. M., for the purpose of hearing argument upon Senate Joint Resolution No. 2, for the removal of W. W. Wade, Chancellor of the Fifth Chancery Division of the State of Tennessee.

*Be it further resolved,* That the counsel favoring the resolution of the removal of Chancellor Wade from office, and the counsel opposing the same be each allowed

one hour and thirty minutes to present their arguments  
to the joint conference or session of the two houses.

Adopted March 12, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

BENJ. J. LEA,

*Speaker of the Senate.*

Approved March 13, 1890.

ROBT. L. TAYLOR,

*Governor.*



## HOUSE JOINT RESOLUTIONS.

### NUMBER 1.

*Resolved by the Senate and House of Representatives,*  
That two thousand (2,000) copies of the Governor's  
proclamation and message be printed.

Adopted February 26, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

BENJ. J. LEA,

*Speaker of the Senate.*

Approved March 6, 1890.

ROBT. L. TAYLOR,

*Governor.*

### NUMBER 2.

Resolved by the representatives of this General Assembly, who are the representatives of all the industries of the State, that we emphatically hold that cotton now fixed on the basis of six per cent. tare on the market of Liverpool should be based on the actual weight of the baling and ties, such discrimination being made in reference to the several varieties of bagging as will accord with the spirit of this resolution.

*Be it further resolved,* That we offer this resolution as expressive of our sense of a right to which the cotton producers of the State are clearly entitled, and that the

cotton exchanges of the State should endeavor to secure such adjustment of price as is herein contemplated.

Adopted March 4, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 7, 1890.

ROBT. L. TAYLOR,  
*Governor.*

### NUMBER 3.

WHEREAS, It appearing from the printed House Journal that amendment to Section 39 of assessment law was adopted; and,

WHEREAS, In the printed Act of 1889 there is a material change in said amendment; therefore,

*Be it resolved by the General Assembly,* That a committee be appointed—three on the part of the House and three on the part of the Senate—to investigate this matter and report to the House and Senate where and how this mistake was made.

Adopted March 4, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 7, 1890.

ROBT. L. TAYLOR,  
*Governor.*

### NUMBER 4.

*Be it resolved by the Senate and House of Representatives,* That a joint committee of three (3) on the part of

the Senate and three on the part of the House of Representatives be appointed to wait on the Governor and notify him that the General Assembly is now ready for the transaction of public business, and awaits his communications.

Adopted February 24, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 7, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## NUMBER 5.

WHEREAS, The Congress of the United States has approved the plan and undertaken the work of locking and damming the Cumberland river so as to render a navigable highway all the year round, and has made small appropriations therefor; and,

WHEREAS, The improvement of the Cumberland river contemplated, making it navigable at all seasons of the year from its source to its mouth, a distance of 600 miles, and traversing a country vastly rich in undeveloped wealth, would be of the greatest benefit, not only to the people of the Cumberland River Valley, but also to the business and general commerce of the country, by the development of the resources of the valley, rich in coal, iron, timber and agriculture, which would be sure to follow.

*Be it therefore resolved by the General Assembly of the State of Tennessee,* That it heartily endorses and commends the proposed improvement of the Cumberland river as a work of great public utility and a most worthy object of congressional aid.

*Be it further resolved,* That Congress is most respectfully requested to make adequate appropriation for the work of improvement of the Cumberland River, to the

end that it may be prosecuted with vigor and completed within a reasonable time.

*Be it further resolved*, That the Senators and Representatives in Congress from the State of Tennessee be and are hereby requested to urge upon Congress the importance of hastening the proposed improvement of the Cumberland river and its consequent value as an artery of commerce, and use their best efforts to secure an increased and suitable appropriation for this important public work.

Adopted March 8, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 11, 1890.

ROBT. L. TAYLOR,  
*Governor.*

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## NUMBER 6.

*Be it resolved by the General Assembly of the State of Tennessee*, That in the matter before the two houses for the removal of Chancellor W. W. Wade, of the Fifth Chancery Division, the same be referred to judicial committees of the two houses, who, in joint session or by sub-committee, shall take such testimony as either side may choose to bring before it bearing on the question, and the chairman of Senate Committee is authorized to employ a stenographer, and that any member of the committee may be authorized to administer oaths, and the Speaker of either house may issue summons for witnesses, the evidence so taken to be submitted to the two houses. The Joint Committee will appoint such time as they think proper for the meeting of the committee and the taking of testimony, and shall report to the House by joint resolution or otherwise; *Provided*, the said Wade shall have the right to appear before said com-

mittee by himself and counsel, and make his defense to the matters involved in this resolution.

Adopted March 8, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 11, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## NUMBER 7.

House Joint Resolution providing for the adjournment *sine die* of the extra session of the Forty-sixth General Assembly.

*Resolved by the General Assembly of the State of Tennessee,* That the extra session of the Forty-sixth General Assembly of the State of Tennessee adjourn *sine die* on Saturday, March 15, 1890, at 12 o'clock m.

Adopted March 13, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 14, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## NUMBER 8.

WHEREAS, Lieut. Robt. W. Dowdy, Seventeenth Infantry, U. S. Army, has been detailed by the Secretary of War for service in Tennessee, and has rendered very efficient service in organizing and disciplining the National Guard and in perfecting the system of books, blanks, etc., in the Adjutant-General's office; and

WHEREAS, There has not been sufficient time allowed

him to perfect his work, being delayed for lack of means which are just now provided by appropriation of the extra session of the Legislature now sitting; therefore,

*Be it resolved by the General Assembly of the State of Tennessee,* That the Secretary of War be requested to extend the detail of Lieut. Dowdy to January 1, 1891, that he may consummate the work assigned him, the condition of the Guard imperatively demanding it, and that the Adjutant-General be directed to forward a copy of this resolution to the Secretary of War.

Adopted March 13, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

BENJ. J. LEA,

*Speaker of the Senate.*

Approved March 14, 1890.

ROBT. L. TAYLOR,

*Governor.*

## SENATE RESOLUTIONS.

### NUMBER 1.

*Resolved by the Senate of Tennessee,* That the Sergeant-at-Arms be and he is hereby instructed to purchase, for the use of the Senate, a bowl and pitcher, some soap, a comb and brush, a dozen towels, a broom to wash water-cooler with, a duster, and also to have the keys fitted in the desks, a map, and the cost of the same shall be included in the general appropriation bill.

Adopted February 24, 1890.

BENJ. J. LEA,

*Speaker of the Senate.*

NUMBER 2.

WHEREAS, Information has been received by the Senate of the death of Judge Jo C. Stark, who was a member of this body in 1851-2; that in the death of Judge Stark the State has lost a faithful servant and the people a true friend.

*Be it further resolved*, That we, as a body, tender to his bereaved family our sincere sympathy and commend his virtues to our members as worthy of emulation.

Adopted March 8, 1880.

BENJ. J. LEA,  
*Speaker of the Senate.*

HOUSE RESOLUTIONS.

NUMBER 1.

*Resolved*, That the rules of the regular session of the House of Representatives of the Forty-sixth General Assembly be adopted for the government of the present session.

Adopted Feb. 24, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

NUMBER 2.

WHEREAS, This House has learned with sorrow of the death of Andrew J. Lowe, Representative from the county of Hickman, since the adjournment of the regular session of this body; therefore,

*Be it resolved by the House of Representatives*, That the Speaker appoint a committee of five to draft suitable resolutions, and present the same to this House for its adoption.

Adopted Feb. 24, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

## NUMBER 3.

*Resolved*, That the Sergeant-at-Arms purchase, for the use of the House, the following articles: Two dozen spittoons, one dozen towels, one half dozen dusters, four coal scutters, four shovels, one-half dozen cakes soap, one-half dozen glasses, two water buckets, one-half dozen brooms, two slop buckets, two whisk brooms, one sponge; that the above be embraced in the appropriation bill.

Adopted February 24, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

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## NUMBER 4.

WHEREAS, At the close of the last regular session there was a number of spittoons belonging to the House; and,

WHEREAS, It appears that said spittoons cannot be found; therefore,

*Resolved*, That a committee of three be appointed by the Speaker to investigate the matter, to ascertain what has become of them.

Adopted February 26, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

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## NUMBER 5.

WHEREAS, The National Republican League of the United States has, upon invitation of citizens of our State, decided to hold its next annual meeting in the city of Nashville, embracing the fourth and fifth days of March, 1890; and,

WHEREAS, It is the desire of the members of the House of Representatives of the Forty-sixth General



Assembly to maintain the well deserved reputation of our State for genuine kindness and hospitality,

*Resolved*, That we hereby tender the use of the hall to the National League, through the local Executive Committee of Nashville, for such purposes as they may see proper during the nights of the fourth and fifth instants.

Adopted March 3, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

## NUMBER 6.

WHEREAS, The advocates, employes, agents and attorneys of manufacturing and mining corporations, by publications in newspapers, and by public meetings, resolutions and memorials of organized associations addressed to the Governor and this General Assembly, have alleged and declared that said corporations are *double taxed* by the assessment laws of 1889; and,

WHEREAS, This General Assembly has been called together in special session by the Governor to inquire of and concerning the *double taxation* which these corporations allege and claim is imposed and assessed against them by Chapter 96 of the Acts of 1889, known as the assessment law; and,

WHEREAS, The thirteenth section of Chapter 96 of the assessment law of 1889 is the only law now in force for the assessing said corporations for taxation.

*Resolved*, That the double taxation which the corporations aforesaid allege and declare is assessed and imposed upon them by the thirteenth section of Chapter 96 of the assessment is under the Governor's proclamation the special and only matter concerning said corporations to be considered by the General Assembly at its present session; therefore, it is incumbent upon these corporations and persons making this allegation to stand by the issue they have made, and to point out briefly and with certainty the word or sentence in said thirteenth section, which assesses or imposes double taxes against said corporations, so that this General Assembly may amend said

section if the allegation of unjust and double taxation assessed against these corporations is found to be true.

Adopted March 4, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

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NUMBER 7.

*Resolved by the House of Representatives, That the account of H. C. Musgrove for five dollars (\$5), for repairing the lock of the safe in the office of the Engrossing Clerk be allowed, and that the same be included in the appropriation bill.*

Adopted March 8, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

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NUMBER 8.

*Be it resolved by the House of Representatives, That the hall of the House of Representatives is hereby tendered to the Road Congress of Tennessee, in which to hold its meetings when the same shall meet.*

Adopted March 8, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

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NUMBER 9.

*Resolved by the House of Representatives, That the Rev. C. D. Elliott, for prompt and faithful service as Chaplain of the House, shall be paid out of the State Treasury the sum of seventy-five dollars (\$75).*

Adopted March 8, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

NUMBER 10.

The House of Representatives have heard with profound sorrow of the death of Mrs. Maria J. Bennett, mother of Hon. F. J. Bennett, a member of the House; therefore,

*Be it resolved by the House of Representatives of the Forty-sixth General Assembly, That the sympathies and condolence of the House be and the same are hereby extended to Hon F. J. Bennett in his great sorrow and bereavement.*

*Resolved further, That this resolution be engrossed and a copy thereof furnished to Mr. Bennett.*

Adopted March 14, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*

NUMBER 11.

WHEREAS, The members of this Assembly have learned with deep regret of the sad affliction of the Hon. J. H. Beal, of the county of Hamblen, one of our fellow-members, by the loss of an only brother, who died in Hawkins county, Tennessee, on the night of the 12th inst.; therefore,

*Be it resolved by the members of this House, That we do sincerely condole with our fellow-member in this the hour of his sore bereavement, and extend to him our heartfelt sympathy on account of this sad dispensation of Divine Providence.*

*Resolved further, That these resolutions be made of record in the proceedings of the extra session of the Forty-sixth General Assembly of Tennessee.*

Adopted March 14, 1890.

W. L. CLAPP,

*Speaker of the House of Representatives.*



ACTS  
OF THE  
STATE OF TENNESSEE,

PASSED AT THE THIRD SESSION OF THE  
FORTY-SIXTH GENERAL ASSEMBLY.

1890.

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PUBLISHED BY AUTHORITY.

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NASHVILLE:  
ALBERT B. TAVEL, PRINTER TO THE STATE.  
1890.



# GOVERNOR'S PROCLAMATION.

---

By virtue of the power and authority vested in me by the Constitution of the State of Tennessee, I, Robert L. Taylor, Governor of Tennessee, do by this my proclamation convene the General Assembly in Extraordinary Session at the hour of 12, noon, March, 15, 1890, and when assembled they will enter upon the following legislative business, to-wit:

To extend the corporate limits of the Taxing District of Shelby County, Tennessee, and to amend the act of March 25, 1889, chapter 157, providing for the establishment of improvement districts within Taxing Districts.

*In testimony whereof*, I have hereunto set my hand and [SEAL.] caused the Great Seal of the State to be affixed, at the Capitol in Nashville, March 15, 1890.

ROBT. L. TAYLOR,  
*Governor.*

By the Governor:  
C. A. MILLER,  
*Secretary of State.*





# PUBLIC ACTS

OF THE

General Assembly of the State of Tennessee,

PASSED AT THE THIRD SESSION OF THE

FORTY-SIXTH GENERAL ASSEMBLY.

*Which was Begun and Held at Nashville on Saturday, March 15th,  
in the Year of our Lord One Thousand Eight  
Hundred and Ninety.*

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## CHAPTER 1.

AN ACT to extend the corporate limits of the Taxing District of Shelby County, Tennessee, and to prescribe the conditions upon which said extension is made.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the corporate limits of the municipality known as the Taxing District of Shelby County, Tennessee, be extended so as to embrace all the people and territory within the following line, to wit: Begin at a point on the Mississippi River where the north line of McLemore avenue produced would touch said river, and thence run east with said north line to Elmwood avenue; thence with west side of Elmwood avenue to the north side of the Kansas City, Memphis & Birmingham Railroad; thence in direct line east to Woodward avenue; thence with the west line of Woodward avenue north to Carr avenue at its intersection with Kercheval avenue; thence north with the west line

Boundaries.

of Kercheval avenue to Union avenue; thence with the north line of Union avenue east to Belleview avenue; thence north with the west line of Belleview avenue to Poplar street; thence with the south line of Poplar street west to Waldran avenue; thence north with west line of Waldran avenue to the north line of the Louisville & Nashville Railroad; thence with said north line of said railroad west to the west side of Brinkley avenue; thence north with the west line of Brinkley avenue to the old Raleigh road; thence west with said road to Mosely avenue; thence with the west line of Mosely avenue north to Volentine avenue; thence with the south line of Volentine avenue and its extension, Brinkley street, and their extension west to Wolf River; thence down Wolf River, with its meanderings, to the Mississippi River, and thence down the Mississippi River, with its meanderings, to the beginning. And to carry out the purpose of this Act, the Taxing District of Shelby County shall divide said territory into such ward or wards as may be necessary, or may attach parts of the same to the wards now in existence.

People of new  
territory not  
liable for ex-  
isting incor-  
poration  
debts.

SEC. 2. *Be it further enacted*, That the property and people of said new territory thus annexed shall never be made liable for any indebtedness, bonded or otherwise, now due by said Taxing District of Shelby County, Tennessee, nor shall any bonded or other form of indebtedness by said Taxing District of Shelby County, Tennessee, prior to January 1, 1900, which shall be binding upon the people and property of said annexed territory.

Taxation lim-  
ited.

SEC. 3. *Be it further enacted*, That up to the first day of January, 1900, the rate of taxation to be fixed and assessed upon the people and property of the annexed territory shall not exceed fifty cents on the one hundred dollars for all taxes of every kind, saving and excepting State and county taxes; that is to say, that the taxes levied for any and all purposes outside of State and county taxes, shall not for the period stated exceed fifty cents on the one hundred dollars.

Taxes to be ex-  
pended in  
new terri-  
tory.

SEC. 4. *Be it further enacted*, That all corporate and municipal taxes of every kind, character and description, which are levied upon the people and property of the said new territory up to the first day of January, 1890, shall be expended within the limits of said annexed territory, and not elsewhere.

Act of 1889 ap-  
plies.

SEC. 5. *Be it further enacted*, That the Act passed March 25, 1889, Chapter 157 of the Acts of 1889, providing for the establishment of improvement districts in

Taxing Districts, be amended and extended in every respect, and enacted so as to apply to the new limits hereinafore fixed and provided for said Taxing District.

Sec. 6. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 18, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 18, 1890.

## CHAPTER 2.

AN ACT to defray the expenses of the Second Extra Session of the Forty-sixth General Assembly.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller of the Treasury issue his warrant on the Treasurer in favor of each member, officer and employe of the Senate for the amount stated to be due each in the following schedule.

MEMBERS OF THE SENATE.	NO. OF MILES.	MILEAGE.	NO. OF DAYS.	PER DIEM.	TOTAL.
Alcorn, R. S.....	.....	.....	.....	.....	.....
Apple, J. C.....	125	\$ 20 00	3	\$ 12 00	\$ 32 00
Barnhill, J. T.....	444	71 04	3	12 00	83 04

MEMBERS OF THE SENATE. <i>Continued.</i>	NO. OF MILES.	MILEAGE.	NO. OF DAYS.	PER DIEM.	TOTAL.
Berry, C. R.....	40	6 40	3	12 00	18 40
Burns, M.....	.....	.....	3	12 00	12 00
Carter, P. W.....	100	16 00	3	12 00	28 00
Cobbs, L. T.....	.....	.....	3	12 00	12 00
Craighead, T. D.....	.....	.....	3	12 00	12 00
Crews, J. M.....	464	74 24	3	12 00	86 24
Cypert, T. J.....	290	46 40	3	12 00	56 40
Dortch, J. H.....	.....	.....	.....	.....	.....
Fouts, M. T.....	392	62 72	3	12 00	74 72
Hall, B. F.....	.....	.....	.....	.....	.....
Hodges, W. B.....	678	108 40	3	12 00	120 40
Jarvis, H. C.....	680	108 80	3	12 00	120 80
Jones, J. L.....	374	59 84	3	12 00	71 84
Lamb, W. B.....	.....	.....	.....	.....	.....
Long, T. C.....	344	55 04	3	12 00	67 04
McCorkle, J. E.....	372	59 52	3	12 00	71 52
McDowell, W. W....	464	74 24	3	12 00	86 24
Moody, C. J. ....	126	16 75	3	12 00	28 75
Myers, J. C.....	410	65 60	3	12 00	77 60
Mynatt, E. F.....	526	84 16	2	8 00	92 16
Nelson, R.....	526	84 16	2	8 00	92 16
Penland, J. R.....	580	92 80	3	12 00	104 80
Plummer, F. A.....	190	30 40	3	12 00	42 40
Pyatt, S. C.....	.....	.....	.....	.....	.....
Sensing, J. D.....	.....	.....	.....	.....	.....
Sparks, J. W.....	66	10 56	3	12 00	22 56
Stout, J. W.....	210	33 60	2	8 00	41 60
West, J. A.....	730	116 80	3	12 00	128 80
Williamson, S. B.....	374	60 04	3	12 00	72 04

## OFFICERS.

Lea, B. J., Speaker..	368	58 88	3	18 00	76 88
Harris, J. A., C. C..	.....	.....	3	18 00	18 00
Ewing, C., A. C.....	.....	.....	3	18 00	18 00
Taylor, Mrs. B., E.C.	.....	.....	3	18 00	18 00
Hickman, J. P., S'gt.	.....	.....	3	12 00	12 00
Coe, H. L., Page....	.....	.....	3	12 00	12 00
Oldham J. C., 1st P..	.....	.....	3	12 00	12 00
Keeble, F., 2d Porter	.....	.....	3	12 00	12 00

SEC. 2. *Be it further enacted*, That the Principal and Assistant Clerks of the Senate be directed to copy the Journal of the Senate and to superintend the printing and indexing of the same, and to file properly the papers of the Senate with the Secretary of State, and for such services the Principal Clerk be allowed thirty dollars and the Assistant Clerk twenty dollars, and when said services have been performed the Comptroller will draw his warrant on the Treasurer for the same. Clerks of the Senate.

SEC. 3. *Be it further enacted*, That the Comptroller is hereby directed to issue his warrant on the Treasurer in favor of Rev. C. D. Elliott for eight dollars for services as Chaplain during the second Extra Session. Rev. C. D. Elliott.

SEC. 4. *Be it further enacted*, That the Principal Clerk of the House be directed to remain a sufficient time after the adjournment of this Extra Session to file properly the papers of the House of Representatives with the Secretary of State, to re-copy the Journals of the House for the public printer, to read the proof, superintend printing the Journals and to make index to printed Journals of the House, for which work the sum of thirty dollars is hereby appropriated, and the Comptroller is hereby directed to issue his warrant on the Treasurer for said sum in favor of said Clerk; and that the Assistant Clerk shall remain and assist the Principal Clerk in re-copying the Journal and for such services he shall be allowed the sum of twenty dollars, which is hereby appropriated, and the Comptroller shall issue his warrant on the Treasurer for said amount. Clerks of the House.

SEC. 5. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer in favor of each member, officer and employe of the House of Representatives for the amounts stated to be due each in the following schedule to-wit: Representatives and officers.

NAMES OF REPRESENTATIVES.	NO. OF MILES.	MILEAGE.	NO. OF DAYS.	PER DIEM.	TOTAL.
Adams, J. C.....	404	\$ 64 64	1	\$ 4 00	\$ 68 64
Adams, C. C.....	.....	.....	.....	.....	.....
Andes, J. W.....	560	89 60	3	12 00	104 80
Avery, Sid.....	.....	.....	.....	.....	.....
Bagwell, A.....	225	36 00	3	12 00	48 00

REPRESENTATIVES.—*Continued.*

NAMES OF REPRESENTATIVES.	NO. OF MILES.	MILEAGE.	NO. OF DAYS.	PER DIEM.	TOTAL.
Beal, J. H. ....					
Bennett, F. J. ....	310	49 60	3	12 00	61 60
Bockman, J. C. ....	130	20 80	3	12 00	32 80
Bonham, M. L. ....	140	22 40	3	12 00	34 40
Buchanan, J. P. ....	86	13 76	3	12 00	25 75
Burton, S. D. ....	452	72 32	3	12 00	84 32
Callicutt, F. P. ....	320	51 20	3	12 00	63 20
Carson, T. B. ....	440	70 40	3	12 00	82 40
Caruthers, W. A. ....	392	62 72	3	12 00	74 72
Cecil, Beaty ....	536	85 76	3	12 00	97 76
Cochran, J. L. ....	416	66 56	3	12 00	78 56
Collins, C. C. ....	770	123 20	3	12 00	135 20
Comer, Sam. ....	452	72 32	3	12 00	84 32
Connoway, M. H. ....	248	39 68	3	12 00	51 68
Corban, B. J. ....	148	23 68	1	4 00	27 68
Craig, A. N. ....	246	39 36	3	12 00	51 36
Crowder, J. M. ....	494	79 04	3	12 00	91 04
Cummins, J. H. ....	104	16 64	3	12 00	28 64
Davis, Ralph. ....	464	74 24	3	12 00	86 24
DeArmond, R. T. ....	526	84 16	3	12 00	96 16
Dismukes, W. C. ....	52	8 32	2	8 00	16 32
Eaton, R. P. ....	486	77 76	3	12 00	89 76
Fort, Joel B. ....	90	14 40	1	4 00	18 40
Freeman, T. H. ....	40	6 40	3	12 00	18 40
Friar, H. H. ....	678	108 48	3	12 00	120 48
Gault, S. H. ....	696	111 36	3	12 00	123 36
Gill, H. B. ....	154	24 64	3	12 00	36 64
Godwin, D. G. ....	464	74 24	3	12 00	86 74
Gooch, J. S. ....	40	6 40	3	12 00	18 40
Goodpasture, A. V. ....	120	19 20	3	12 00	31 20
Hale, John C. ....	576	92 16	3	12 00	104 16
Hale, W. B. ....	90	14 40	3	12 00	26 40
Hargis, Jas. ....	350	56 00	3	12 00	68 00
Harris, Joe. ....	526	84 16	2	8 00	92 16
Hart, H. C. ....	760	121 60	3	12 00	133 60
Harwell, T. B. ....	168	26 88	3	12 00	38 88
Head, Jno. R. ....	368	58 88	3	12 00	70 88
Hill, L. D. ....	280	44 80	3	12 00	56 80

NAMES OF REPRESENTATIVES. <i>Continued.</i>	NO. OF MILES.	MILEAGE.	NO. OF DAYS.	PER DIEM.	TOTAL.
Hinkle, H. R.....	.....	.....	.....	.....	.....
Hutchinson, J. H....	.....	.....	3	12 00	12 00
Jacobs, Lee.....	166	26 56	3	12 00	38 56
Johnson, Tim.....	.....	.....	3	12 00	12 00
Johnston, T. W.....	274	43 84	3	12 00	55 84
Joiner, C. M.....	164	26 24	3	12 00	38 24
Jones, G. W.....	396	63 30	3	12 00	75 36
Jones, J. B.....	444	71 04	1	4 00	75 04
Jones, J. E.....	175	43 20	2	8 00	51 20
Jones, S. G.....	.....	.....	.....	.....	.....
Leech, Hardin.....	.....	.....	.....	.....	.....
Lewis, J. W.. .....	280	44 80	3	12 00	56 80
Longacre, J. S.....	280	44 80	3	12 00	56 80
McCall, G. T.....	210	33 60	3	12 00	45 60
McDonald, E. M....	100	16 00	3	12 00	28 00
McNabb, A. ....	332	53 12	3	12 00	65 12
McRee, F. M.....	320	51 20	1	4 00	55 20
Mace, B. M.....	60	9 60	3	12 00	21 60
Marshall, Park.....	40	6 40	3	12 00	18 40
Mitchell, John.....	.....	.....	.....	.....	.....
Moore, Wm.....	670	107 20	3	12 00	119 20
Moore, J. L.....	576	92 16	3	12 00	104 16
Moore, J. C.....	540	86 40	3	12 00	98 40
Moreland, M. L.....	820	131 20	3	12 00	143 20
Morris, T. O.....	.....	.....	3	12 00	12 00
Myers, T. R.....	126	20 16	3	12 00	32 16
Odum, R. A.....	464	74 24	3	12 00	86 24
Palmer, H. E.....	64	10 24	3	12 00	22 24
Parkes, Jas. G.....	442	70 72	3	12 00	82 72
Patterson, A. J.....	772	123 52	2	8 00	131 52
Pearson, J. D. ....	344	55 68	1	4 00	59 68
Polk, R. K.....	.....	.....	3	12 00	12 00
Renkert, Andrew.....	464	74 24	3	12 00	86 24
Richardson, J. W....	178	28 48	3	12 00	40 48
Rosier, D. H.....	650	104 00	3	12 00	116 00
Savage, J. H. ....	.....	.....	.....	.....	.....
Senter, W. M.....	354	56 64	3	12 00	68 64
Shaw, C. C.....	388	62 18	3	12 00	74 18
Shelton, W. T.....	.....	.....	.....	.....	.....
Shepherd, Lewis.....	302	48 32	3	12 00	60 32

NAMES OF REPRESENTATIVES. <i>Continued.</i>	NO. OF MILES.	MILAGE.	NO. OF DAYS.	PER DIEM.	TOTAL.
Smith, Andy E.....	244	39 04	3	12 00	51 04
Stainback, C. E.....	600	96 00	3	12 00	104 00
Stephens, C. H.....	530	84 80	3	12 00	96 80
Stephens, W. B.....	466	74 56	3	12 00	86 56
Strayhorn, W. J.....	94	15 04	3	12 00	27 04
Taylor, M. D .....	706	112 96	3	12 00	124 96
Thompson, R. H.....	414	66 24	3	12 00	78 24
Thompson, A. J. ....	150	24 00	1	4 00	28 00
Tallett, E. G., Jr....	440	70 40	3	12 00	82 40
Whitthorne, W. J... ..	94	15 04	3	12 00	27 04
Wilkes, N. R.....	92	14 72	2	8 00	22 72
Williams, J. J .....	170	27 20	3	12 00	39 20
Woodall, E. M.....	.....	.....	.....	.....	.....
Yancey, R. P.....	155	24 80	3	12 00	36 80
Young, Sam.....	402	64 32	3	12 00	76 32

## OFFICERS.

Clapp, W. L., Sp'k'r	464	74 24	3	18 00	92 24
Wade, Eth. B., P. C. ....	.....	.....	3	18 00	18 00
Crockett, C. W., A.C. ....	.....	.....	3	18 00	18 00
Davis, Anna, E. G... ..	.....	.....	3	18 00	18 00
Doyle, H. J., J. C... ..	.....	.....	3	18 00	18 00
Harkreader, Wm. Sgt .....	.....	.....	3	12 00	12 00
Berger, J. M., A.Sgt. ....	.....	.....	3	12 00	12 00
Morris, Scott, 1st P. ....	.....	.....	3	12 00	12 00
Wynn, G. H., P.....	.....	.....	3	12 00	12 00
Martin, Verms, P... ..	.....	.....	3	12 00	12 00
Martin, Saunders, P. ....	.....	.....	3	12 00	12 00
Kirwin, J. J., W.C.P .....	.....	.....	3	12 00	12 00
Kirwin, C. A., Ass't .....	.....	.....	3	12 00	12 00

SEC. 6. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1890. W. L. CLAPP,  
*Speaker of the House of Representatives,*  
BENJ. J. LEA,

*Speaker of the Senate.*

Approved March 18, 1890. ROBT. L. TAYLOR,  
*Governor.*



## SENATE JOINT RESOLUTION.

### NUMBER 1.

*Be it resolved by the General Assembly of the State of Tennessee,* That a committee of three on part of Senate and three on part of House of Representatives be appointed by respective Speakers thereof to notify the Governor that the Legislature has met in pursuance to his proclamation issued March 15, 1890, and is now awaiting his pleasure.

Adopted March 15, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 17, 1890.

ROBT. L. TAYLOR,  
*Governor.*

## HOUSE JOINT RESOLUTIONS.

### NUMBER 1.

*Be it resolved by the General Assembly of the State of Tennessee,* That the laws enacted by the first and the second extra sessions of the General Assembly be published in the same book, and the proceedings in one Journal.

Adopted March 18, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*  
BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 18, 1890.

ROBT. L. TAYLOR,  
*Governor.*

NUMBER 2.

*Be it resolved by the General Assembly of the State of Tennessee,* That the second extraordinary session of the Forty-sixth General Assembly adjourn *sine die* on Tuesday, March 18, 1890, at 3:30 o'clock P. M.

Adopted March 18, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

BENJ. J. LEA,  
*Speaker of the Senate.*

Approved March 18, 1890.

ROBT. L. TAYLOR,  
*Governor.*

HOUSE RESOLUTION.

NUMBER 1.

The House of Representatives have learned with regret of the death of Mrs. Blackburn, the eldest daughter of the Hon. J. D. Pearson, a member of this House, which occurred at Jackson, Tenn., on the present date; therefore,

*Be it resolved by the House of Representatives,* That we extend to our fellow-member our sincerest sympathy in this hour of his sad bereavement in the loss of his eldest child.

Adopted March 18, 1890.

W. L. CLAPP,  
*Speaker of the House of Representatives.*

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SECRETARY OF STATE'S OFFICE,  
NASHVILLE, TENN., April 24, 1890. }

I, Chas. A. Miller, Secretary of State for Tennessee, do hereby certify that I have carefully collated the foregoing Acts of the second and third sessions of the Forty sixth General Assembly of Tennessee with the original copies now on file in my office, and find them correctly printed.

CHAS. A. MILLER,  
*Secretary of State.*

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